

ORDINANCE NO. 98-11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE OF PALM BEACH COUNTY, FLORIDA, ORDINANCE 92-20, AS AMENDED, AS FOLLOWS: AMENDING SEC. 1.6 (GENERAL PROVISIONS); SEC. 3.2 (DEFINITIONS); SECTION 6.2 (DISTRICT PURPOSES AND USES); SECTION 6.4 (USE REGULATIONS AND DEFINITIONS); SECTION 6.5 (PROPERTY DEVELOPMENT REGULATIONS); SECTION 6.8.A. (PLANNED DEVELOPMENT DISTRICT REGULATIONS); SECTION 6.8.B. (PLANNED UNIT DEVELOPMENT DISTRICT); SEC. 6.10 (TRANSFER OF DEVELOPMENT RIGHTS); SEC. 7.2 (OFF-STREET PARKING AND LOADING); SECTION 7.3 (LANDSCAPING AND BUFFERING); SECTION 7.8 (MISCELLANEOUS STANDARDS); SECTION 7.15 (MAINTENANCE AND USE DOCUMENTS); SEC. 9.5 (VEGETATION PRESERVATION AND PROTECTION); PROVIDING FOR INTERPRETATION OF CAPTIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare, and safety of the existing and future residents by enacting and enforcing land development and administrative regulations necessary for the protection of the public; and

WHEREAS, Palm Beach County Ordinance 92-20 provided for the adoption of the Unified Land Development Code on June 16, 1992, pursuant to Section 163.3202, Florida Statutes to further growth management requirements; and

WHEREAS, Chapters 125 and 163, Florida Statutes, grant authority to the Board of County Commissioners to adopt and enforce land development regulations within the unincorporated area of Palm Beach County; and

WHEREAS, the Agricultural Reserve area is a portion of the County that encompasses unique farmland and wetlands; and

WHEREAS, the Agricultural Reserve area is designated as an area to be preserved primarily for agricultural use if possible, and if not, to be developed only at low residential density; and

WHEREAS, the Agricultural Reserve (AGR) district corresponds to the Agricultural Reserve (AGR) land use designation of the land use element of the comprehensive plan; and

WHEREAS, amendment 95-39 of the Palm Beach County Comprehensive Plan mandates the creation of land development regulations for the Agricultural Reserve (AGR) district; and

WHEREAS, the Citizens Task Force, sitting as the Land Development Regulation Commission, finds that this amendment to the Unified Land Development Code is consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

Underlined language indicates language proposed to be added.

~~Language struck out~~ indicates language proposed to be deleted.

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Part 1. The Unified Land Development Code of Palm Beach County, Florida is amended as follows:

SUBPART 1 SEC. 1.6 GENERAL PROVISIONS, NONCONFORMITIES, GENERAL, is amended to add language as follows:

D. AGR district. All uses that are existing and were legally established or requested before the effective date of this section but are not permitted by the provisions of the AGR zoning district shall be considered legal nonconforming uses as specified by Sec. 6.2.B.1.d. Exempted uses (6.2.B.1.c.) and agricultural sales and service (6.2.B.1.e.), as provided herein, shall not be considered nonconforming.

SUBPART 2 SEC. 3.2 DEFINITIONS is amended to add and delete language as follows:

AGR-PUD 80/20 Development area means that portion of the PUD which contains the residential, recreational, civic, and commercial pods.

AGR-PUD 60/40 Development area means that portion of the PUD which contains the residential, recreational, civic, and commercial pods with support facilities such as streets, internal open space, and stormwater retention areas.

AGR-PUD preservation area means land contained in the preservation pod preserved in perpetuity to bona-fide agriculture, fallow land, water preserve areas, wetlands or uplands.

AGR-PUD gross site area means the land area of the PUD less land dedicated per the Thoroughfare Identification Map. The gross site area includes land to be used for other rights-of-way, streets, preservation areas, development areas, water retention, open space, commercial, recreation and civic uses.

Accessory agricultural uses means uses customary to a bona fide agricultural activity but not necessarily considered bona fide agriculture, and allowed to be located on the site. These uses may include, but are not limited to: "U-Pick-Em" operations; sale of on-site produced products; grading storage shed; the major repair, fabrication, body work and welding of agricultural equipment; freestanding coolers; bulk storage of petroleum and chemical products; shipping containers as storage; washing and packing of farm products in the field; and storage of equipment.

Agricultural food processing means a facility for the canning, dehydration and basic preparation of raw food products, such as the washing and cutting prior to shipment. Food processing does not include the processing of animal or fish products.

Agricultural sales and service means an establishment primarily engaged in the sale or rental of farm tools and small implements, feed and grain, tack, riding attire, animal care products, farm supplies, machinery repair and the like ~~excluding large implements, and including accessory food sales and machinery repair services.~~

Agricultural transshipment means a facility engaged in the act of transferring agricultural products between two modes of transport, such as from a truck to a railroad car or from local vehicles to long-haul trucks. ~~means packing, crating or shipping of agricultural products not~~

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~~grown or raised on site, and specifically excluding slaughterhouses and fish processing.~~

Farrier establishment means a facility for the shoeing of horses.

Green market means the temporary gathering of vendors for the purpose of selling agricultural products on a retail basis. The products shall consist of fresh unprocessed fruit, vegetables and flowers. The sale of other consumable items such as coffee, bread, fish and sandwiches, in conjunction with the agricultural products, is permitted.

Regional water management areas mean areas which are managed consistent with the multiple objectives and purposes of Chapter 373 of the Fla. Stat., including but not limited to water supply development, environmental restoration, water quality improvement, flood protection, water storage, seepage management, and wetland enhancement and mitigation.

SUBPART 3 Section 6.2.B.1. District Purposes and Uses, Agricultural districts, AGR Agricultural Reserve District is deleted in its entirety and replaced as follows:

B. Agricultural districts.

~~1. **AGR, Agricultural Reserve District.** The purpose and intent of the AGR district is established to identify lands presently used for predominantly agricultural production as an ecologically and economically valued resource. The purpose and intent of the AGR District is to assure that these lands have the opportunity to remain in agricultural production as long as economically feasible, particularly where soil and water conditions favor continued agricultural production. The AGR District corresponds to the Agricultural Reserve (AGR) land use designation of the land use element of the comprehensive plan and recognizes the study of the long-term viability of agriculture in the agricultural reserve area to be conducted beginning in 1990. The results of the study will require the revision of policies and regulations related to the agricultural reserve area in both the Palm Beach County Comprehensive Plan and the Unified Land Development Code. Until such time as the study is complete, certain uses which are recognized in the AGR District may not be developed pursuant to the requirements of the comprehensive plan. The following uses are subject to the standards referenced below:~~

PERMITTED USES:

Agriculture, bona fide
Aviculture
Estate kitchen
Farm residence
Farm worker quarters
Garage sale
Guest cottage
Home occupation
Nursery, retail
Nursery, wholesale
Park, passive
Single family residence

PERMITTED SUBJECT TO DRG SITE PLAN:

Agricultural research/development
Agricultural transshipment
Composting facility
Day care center, limited
Equestrian arena, commercial
Fruit and vegetable market
Government services
Gun range, private
Heliport or Helipad
Migrant farm labor quarters
Potting soil manufacturer
Stable, commercial

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1 ~~Stable, private~~

Utility, minor

Veterinary clinic

1 ~~CONDITIONAL USE, CLASS B:~~

~~CONDITIONAL USE, CLASS A:~~

2 ~~Agricultural sales and service~~

Air curtain incinerator, permanent

3 ~~Airplane landing strip, accessory~~

Electrical power facility

4 ~~Chipping and mulching~~

Grooms quarters

5 ~~Communication tower, commercial~~

Solid waste transfer station

6 ~~Grain milling or processing~~

~~SPECIAL USES:~~

7 ~~Landscape maintenance services~~

Accessory dwelling

8 ~~Medical office or dental clinic~~

Air curtain incinerator, temporary

9 ~~Park, public~~

Recycling drop-off bin

10 ~~Water or wastewater treatment plant~~

Security or caretaker quarters

Stand for the sale of agricultural products

11 ~~Reference Sections (AGR, Agricultural Reserve District):~~

12 ~~1) Supplementary Use Standards -- See Section 6.4.D~~

13 ~~2) Property Development Regulations -- See Section 6.5~~

14 ~~3) Accessory/Temporary Structure Standards -- See Section 6.6~~

15 ~~4) Off-street Parking/Loading -- See Section 7.2~~

16 ~~5) Landscaping -- See Section 7.3~~

17 ~~6) Lighting/Noise Standards -- See Section 7.8~~

18 ~~7) Signs -- See Section 7.14~~

19 ~~8) Vegetation Protection -- See Section 7.5~~

20 **6.2.B. Agricultural districts.**

21 **1. AGR, Agricultural Reserve District.** The Agricultural Reserve area is a portion of the
22 County that encompasses unique farmland, regional water management areas and
23 wetlands. It is also an area that may become an urbanized area. It is designated as
24 an area to be preserved primarily for agricultural and, west of SR 7, agricultural and
25 regional water management use if possible, and if not, to be developed only at low
26 residential density. The AGR district corresponds to the Agricultural Reserve (AGR)
27 land use designation of the land use element of the comprehensive plan.

28 **a. Right to Farm.** All lands within the Agricultural Reserve district are located in an
29 area where land is used for commercial agricultural production. Owners, residents,
30 and other users of this property or neighboring property may be subjected to
31 inconvenience and discomfort arising from generally accepted agricultural
32 management practices, including but not limited to noise, odors, dust, the operation
33 of machinery of any kind, including aircraft, the storage and disposal of manure,
34 and the application of fertilizers, soil amendments, herbicides, and pesticides.
35 Owners, occupants, and users of this property are hereby put on official notice that:
36 (1) the state Right-to-Farm Act, Fl. Stat. 823.314, may bar them from obtaining a
37 legal judgment against such as a public or private nuisance; and (2) farm
38 operations that conform to generally accepted agricultural and management
39 practices in the Agricultural Reserve district are exempt from the following
40 miscellaneous standards contained in Sec. 7.8 of the ULDC: noise; vibration;
41 smoke, emissions and particulate matter; odors; and outdoor lighting.

42 A provision shall be placed in the public records of Palm Beach County, Florida
43 concerning the above Right to Farm provisions, for all properties with an AGR land

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use designation in the Agricultural Reserve Area.

b. PACE and TDR Programs. To achieve the purpose and intent of the AGR District, participation in the Purchase of Agricultural Conservation Easement (PACE) and Transfer of Development Rights (TDR) programs is encouraged. Qualifying properties are eligible for the PACE Program and qualifying properties are sending areas pursuant to the TDR Program. Participation in these programs is pursuant to the Ordinance 95-34 (PACE) and provisions of Sec. 6.10 (TDR), as amended.

c. Exempted use areas. In recognition of the development history of the AGR, the limitation on existing uses established through the 1985 Comprehensive Plan, as amended, and the nature of certain specific existing uses whose replication would not be appropriate, the following existing uses are exempt from the use provisions of AGR District to the extent of accommodating the existing and previously approved land use. Continued development and modifications to these uses shall be pursuant to their original development order and the intent of the provisions of this AGR District.

(1) Previously approved residential development. The exemption applies to the following residential developments which may continue to exist, however they may not subdivide nor expand the property.

- (a) Willis Glider Port.**
- (b) Delray Lakes Estates.**
- (c) Tierra de Rey.**
- (d) Tierra de Rey South.**
- (e) Rio Poco.**
- (f) Snow Ranch Estates, a.k.a. Horseshoe Acres.**
- (g) Delray Training Center.**

(2) Previously approved non-residential development. The exemption applies to the following non-residential developments which may continue to exist and may expand subject to AGR district regulations or a Class A Conditional Use, whichever is applicable.

- (a) Eternal Light Cemetery, 11520 SR-7, Boynton Beach.**
- (b) Faith Farm Ministry, 9538 Hwy 441, Boynton Beach.**
- (c) Our Lady Queen of Peace Church and service complex, W. Atlantic Ave.**
- (d) Caridad Clinic, West Boynton Beach Blvd.**
- (e) Soup Kitchen, 9850 Boynton Beach Blvd.**
- (f) 4 Points Market.**
- (g) 3 Amigos Convenience Store.**
- (h) Fina Gas Station-Hey 4 U trucking.**
- (i) Sunshine Meadows.**

d. Nonconforming uses. All uses that are existing and were legally established or requested before the effective date of this ordinance but are not permitted by the provisions of the AGR zoning district shall be considered legal nonconforming uses. The nonconforming use may expand up to fifty percent (50%) of the building square footage subject to the property development regulations of the CCSO district. The use may be replaced if destroyed. If a use is on less than one (1) acre

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of property, the land area is permitted to be expanded up to a total of one acre. The present use may be changed to any other use permitted in the AGR district. Exempted uses (6.2.B.1.c.) and agricultural sales and service (6.2.B.1.e.), as provided herein, shall not be considered nonconforming.

e. Agricultural sales and service. An agricultural sales and service use located in the area designated as the Agricultural Reserve (AGR) on the Future Land Use Map of the Comprehensive Plan and existing as of the effective date of this ordinance shall be considered a conforming use in the Agricultural Reserve (AGR) zoning district. Any expansion or change of location of the use will be subject to a Class B Conditional Use approval.

f.e. AGRICULTURAL RESERVE (AGR) district:

PERMITTED USES:

Agriculture, bona fide
Auction
Aviculture
Community vegetable garden
Estate kitchen
Farm residence
Fruit and vegetable market
Garage sale
Green market
Groves/row crops

PERMITTED USES (cont'd):

Home occupation
Kennel, private
Livestock raising
Nursery, retail
Nursery, wholesale
Park, passive
Regional water management uses
Shade house, accessory
Single family residence
Stable, private
Storage, agricultural
Type IA excavation
Vehicle repair and related services, minor mobile

SPECIAL USE:

Accessory dwelling
Agricultural stand
Air curtain incinerator, temporary
Farm workers quarters
Grooms quarters
Guest cottage
Mobile home dwelling

PERMITTED SUBJECT TO DRC SITE PLAN:

Agricultural excavation
Agricultural food processing
Agricultural related manufacturing, light
Agricultural research and development
Agricultural transshipment
Air curtain incinerator, permanent
Assembly nonprofit, institutional
Bed and Breakfast
Chipping and mulching

PERMITTED SUBJECT TO DRC SITE PLAN (cont'd):

Composting facility
Day care center, limited or accessory
Equestrian arena, commercial
Farmer's market
Government Services
Gun range, private
Kennel, commercial
Landscape maintenance service
Packing plant
Potting soil manufacturer
Stable, commercial
Type IB excavation
Utility, minor
Veterinary clinic

CLASS A CONDITIONAL USE:

Church or place of worship
Communication tower, commercial
Electrical power facility
Government services
Solid waste transfer station
Water or wastewater treatment facility

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1 Security/caretaker quarters
2 Temporary seasonal sales

CLASS B CONDITIONAL USE:
Airplane landing strip or heliport
Day care center, general

1 **Reference section:**

- 2 1) Supplementary Use Standards -- See Section 6.4.D.
3 2) Property Development Regulations -- See Section 6.5.
4 3) Accessory/Temporary Structure Standards -- See Section 6.6.
5 4) Off-street Parking/Loading -- See Section 7.2.
6 5) Landscaping -- See Section 7.3.
7 6) Lighting/Noise Standards -- See Section 7.8.
8 7) Signs -- See Section 7.14.
9 8) Vegetation Protection -- See Section 7.5.

10 **g.f. Community Commercial Service Overlay (CCSO).** In fulfillment of the provisions
11 of the Land Use Element of the Comprehensive Plan which call for the limitation of
12 new commercial (retail, office, service) land use to serving the needs of the farm
13 worker community, existing residents, and future residents of AGR-PUDs, a
14 Community Commercial Service Overlay is established as an overlay within the
15 AGR district. The boundaries of the CCSO are as shown on the Official Zoning
16 Map as drawn pursuant to Sec. 6.2.H.9.

17 **COMMUNITY COMMERCIAL SERVICE OVERLAY (CCSO) district:**

18 **PERMITTED USES:**

19 Agriculture, bona fide
20 Agricultural sales and service
21 Auction
22 Aviculture
23 Building supplies
24 Community vegetable garden
25 Convenience store
26 Day labor employment service
27 Estate kitchen
28 Farm residence
29 Financial institution
30 Fitness center
31 Fruit and vegetable market
32 Garage sale
33 Green market
34 Groves/row crops
35 Home occupation
36 Kennel, private
37 **SPECIAL USE:**
38 Accessory dwelling
39 Agricultural stand
40 Air curtain incinerator, temporary

Laundry services
Livestock raising
Machine or welding shop
Medical or dental office or clinic
Nursery, retail
Nursery, wholesale
Office, business/professional
Park, passive
Personal services
Repair services, limited
Restaurant, quality
Restaurant, speciality
Retail sales, general
Shade house, accessory
Single family residence
Stable, private
Storage, agricultural
Type IA excavation
Vehicle repair, mobile minor
PERMITTED SUBJECT TO DRC SITE
PLAN:
Agricultural excavation
Agricultural food processing
Agricultural related manufacturing, light
Agricultural transshipment
Assembly nonprofit, institutional
Assembly nonprofit, membership
Bed and breakfast

41 **SPECIAL USE (cont'd):**

42 Amusements, temporary or
43 special events
44 Farm workers quarters

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Grooms quarters
Guest cottage
Recycling bin
Recycling collection station
Retail sales, mobile, temporary
or transient
Security/caretaker quarters

CONDITIONAL USE, CLASS B:

Car wash and auto detailing
Day care center, general

CONDITIONAL USE, CLASS A:

Automotive service station
Church, place of worship
Communication Tower, commercial
Convenience store with gas sales
Electrical power facility
Solid waste transfer station
Water/wastewater treatment plant

Day care center, limited or accessory
Entertainment, indoor
Entertainment, outdoor
Equestrian arena
Farmer's market
Government Services
Gun range, private
Kennel, commercial
Lounge, cocktail
Packing plant
Stable, commercial
Type IB excavation

PERMITTED SUBJECT TO DRC SITE

PLAN (cont'd):

Utility, minor
Veterinary clinic

Reference section:

- 1) Supplementary Use Standards -- See Section 6.4.D.
- 2) Property Development Regulations -- See Section 6.5.
- 3) Accessory/Temporary Structure Standards -- See Section 6.6.
- 4) Off-street Parking/Loading -- See Section 7.2.
- 5) Landscaping -- See Section 7.3.
- 6) Lighting/Noise Standards -- See Section 7.8.
- 7) Signs -- See Section 7.14.
- 8) Vegetation Protection -- See Section 7.5.

h. g. AGR-PUD, Agricultural Reserve Planned Unit Development. Sec. 6.8.B. sets forth regulations pertaining to low density planned unit developments within the AGR District.

(1) P and D suffix designations. When an AGR-PUD is approved through the rezoning process, the suffix of "P" shall be applied to any portion of the project which is not contiguous to the development area. Likewise, the suffix of "D" shall be applied to the development area portion of a non-contiguous AGR-PUD. The use of the suffixes does not create a separate zone district but merely provides for a clear identification and delineation on the Official Zoning Map of the respective areas of an AGR-PUD. The use of the suffixes is optional for a contiguous AGR-PUD.

(2) Limitation on usage of Preservation Area. Not all of the agricultural related land uses are permitted in the Preservation portion of an AGR-PUD. Uses that are permitted are listed in this section and in Table 6.8-2 of the ULDC.

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AGRICULTURAL RESERVE PLANNED UNIT DEVELOPMENT (AGR-PUD):

DEVELOPMENT AREA AGR-PUD:

PRESERVATION AREA AGR-PUD:

Accessory uses, e.g.,

clubhouse, equestrian facilities

Civic area, required for a PUD

Commercial area, allowed for a PUD

Golf Course

Open space, required for a PUD

Open space, allowed for a PUD

Recreational areas, permitted in a PUD

Residential dwelling units, single family,

townhomes, and multiple family

Streets and parking areas

Water retention areas

Agricultural stand

Agricultural, bona fide

Equestrian activities, restricted, e.g.,

pasture and ancillary uses

Fallow land

Farm residence, one

Mobile home accessory to agriculture, one

Security/caretakers quarters, one

Stable, commercial

Stable, private

Uplands

Water preserve areas

Wetlands

Reference section:

1) Supplementary Use Standards – See Section 6.4.D.

2) Property Development Regulations – See Section 6.5.

3) Accessory/Temporary Structure Standards – See Section 6.6.

4) Off-street Parking/Loading – See Section 7.2.

5) Landscaping – See Section 7.3.

6) Lighting/Noise Standards – See Section 7.8.

7) Signs – See Section 7.14.

8) Vegetation Protection – See Section 7.5.

SUBPART 4 6.2.H. District Purposes and Uses, Overlay Districts and Special Zones is amended to add language as follows:

...

9. CCSO, Community Commercial Service Overlay. The purpose and intent of the Community Commercial Service Overlay (CCSO) district is to fulfill the provisions of the Land Use Element of the Comprehensive Plan which call for the limitation of new commercial (retail, office, service) land uses to serve the needs of the farm worker community, existing residents, and future residents of AGR-PUDs, a Community Commercial Service is established as an overlay within the AGR District. The CCSO district corresponds to the Commercial Low Intensity (CL) land use designation in the Future Land Use Element of the Comprehensive Plan.

SUBPART 5 6.2.I. District Purposes and Uses, Planned development districts is amended to add language as follows:

...

9. AGR-PUD, Agricultural Reserve Planned Unit Development. The purpose and intent of the AGR-PUD is to accommodate low density residential development options in conjunction with preservation of agriculture, wetlands or other significant open space areas. It is intended that an AGR-PUD will provide for residential development of land in a manner compatible with agriculture, wetlands or other significant open space and which does not detract from the protection and perpetuation of such uses in the Agricultural Reserve.

SUBPART 6 Section 6.4.C., Use Regulations Schedule, is amended to add and delete language as follows:

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TABLE 6.4-1
USE REGULATIONS SCHEDULE

Use Type	Zoning District/Overlay																				Notes				
	Agriculture/Conservation					Residential										Commercial						Industrial/Public			
	P C	AGR	A P	S A	R S E R	AR	C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E		I L	I G	P O	
		A G R	C C S O	R U R A L	U S A																				
Residential uses																									
Single-family		P	P				P	P	P	P	P	P	P	P	P									88	
Zero lot line home													A	D	D	D								103	
Townhouse													A	D	D	D								95	
Multi-family														P	P									65	
Mobile home dwelling		S	S	S	S		S		S															62	
Accessory dwelling		S	S	S	S		S	S	S	S	S	S	S	S	S	S								1	
Congregate living facility, Type 1							P	P	P	P	P	P	P	P	P	P								24	
Congregate living facility, Type 2					D		A	A	A					A	B	B	B							24	
Congregate living facility, Type 3													A	A	A	A	A	A	B					24	
Estate kitchen		P	P	P	P		P	P	P	P	P	P	P	P	P	P								34.1	
Farm residence		P	P	P	P																			36	
Farm tenant worker quarters		P S	S	P S	P S																			37	
Garage sale		P	P	P	P		P	P	P	P	P	P	P	P	P	P								44	
Grooms quarters		S	S	S	S	S	S	S	S	S	A	A	A	A	A	A	B	B	D	D	D	P	P	P	47
Guest cottage		P	P	P	P		P	P	P	P	P	P	P	P	P	P								47.2	
Home occupation		P	P	P	P		P	P	P	P	P	P	P	P	P	P								50	
Migrant farm labor quarters		B		B	B																			64	
Nursing or convalescent facility					A								A	A	A	A	A	A	B					67	
Security or caretaker quarters		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	86	

P = Permitted S = Special Use D = Permitted Subject to DRC Site Plan
 B = Conditional Use, Class B (ZC Approval) A = Conditional Use, Class A (BCC Approval)
 USA = Urban Services Area RURAL = Rural Area NOTE = Use Regulations contained in Sec. 6.4.D.
 AGR = Agricultural Reserve District CCSO = Community Commercial Service Overlay

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April 21, 1998

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	P C	A G R	A P	S A	R S E R	AR		C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E	I L	I G	P O		
						R U R A L	U S A																			
A G R	C C S O																									
Accessory and Temporary Uses																										
Type II Excavation				B	D	D		D		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
Type 1A Excavation		P	P	P				P	P	P	P	P	P	P	P	P										
Type 1B Excavation		D	D	D	D	D		D	D	D	D	D	D	D	D	D										
Agricultural Excavation		D	D	D	D	D		D	D																	

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		A G R	C S S O	R U R A L	U S A																					
Public and civic uses																										
Airplane landing strip, accessory		B	B	B		B													B		B		9			
Airport																			A		A	A	9			
Assembly, nonprofit institutional		D	D	D		B	A						A	A	A	A	B		P		P		12			
Assembly, nonprofit membership			D			B											B		D		P		12			
Cemetery				B	B		A	A		A	A	A	A	A	A				B			B	19			
Church or place of worship		A	B	B	A	B	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B			21		
College or university						A	A	A	A									A	A	A			P			
Day care center, general		B	B			A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	D	B	B	D	28	
Day care center, limited		D	D	D	B	D	A	A	A	A	A	A	A	A	B	B	B	B	D	D	D	D	D	D	28	
Government services		D	D	D	B	B	A	A	A	A	A	A	A	A	A	A	D	D	D	D	D	D	P	P	P	46
Heliport or helipad		B		B			A	A		A	A	A			A				D	D	D	D	D	P	9	
Hospital or medical center					A	A												A	A	A				P	52	
Park, public	D			B	D	D	B	B	B	A	A	A	A	A	B	B	B	D		D	D	D	D	P	70	
School, elementary or secondary				A	A	A	A	A	A	A	A	A	A	A	A			A	A					P	85	
Transportation facility																			B		D	D	P			

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		A G R	C C S O			R U R A L	U S A																		
Utilities																									
Air curtain incinerator, permanent		D		A	A																	A	A	A	7
Air curtain incinerator, temporary		S	S	S	S	S	S	A	A	A	A	A	A	A	A	A	A	A	A	B		B	B	S	8
Chipping and mulching		D		B	A																	B	D	D	20
Communication tower, commercial	A	BA	A	D	A	B	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B	D	D	D	22
Composting facility		D		D	B																	D	D	D	23
Electrical power facility		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	P	31
Incinerator																									84
Recycling center																A	B		D			P	P	P	
Recycling collection station			S			S										D	S		S			S	S		74
Recycling drop off bin		G	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	75
Recycling plant																						B	D	B	76
Sanitary landfill																									84
Solid waste transfer station		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	B	B	89
Utility, minor		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D		D	D	D	96
Water or wastewater treatment plant		BA	B	BA	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		D	D	P	101

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	P C	AGR	A	S	R	AR	C	R	R	R	R	R	R	C	C	C	C	C	I	I	P	
		AG R	PA	SE	ER																	
Recreational uses																						
Amusements, temporary or Special events			S		S	S	S								S		S		S	S		10
Arena, auditorium or stadium						A										A		A	A		D	11
Campground	D				D	D												D			P	17
Entertainment, indoor			D												A	A		B	D	D		32
Entertainment, outdoor			D			A										A		A	D	D		33
Fitness center			P										B	B	B	D	P	P	P	P		39
Golf course						A			A	A	A	A	A	A	A	A		B	D	D	B	45
Gun club, enclosed				B	A	D												B	P	D	P	48
Gun club, open				B	A	A													A		B	48
Gun range, private		D	D	D	D	A																49
Marine facility																	B	B	B	P	P	59
Park, passive	P	P	P	P	P	P	D	D	D	D	D	D	D	D	D	P	P	P	P	P	P	69
Zoo					B	B	A											B	D		P	104

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		A G R	C C S O				R U R A L	U S A																		
Commercial uses																										
Adult entertainment																					S		S	S		2
Auction, enclosed	P	P			A														B		D					13
Auction, outdoor	P	P			A																A		B			13
Automotive paint or body shop																					A		P	P		14
Automotive service station			A																A		A		B	D		15
Bed and Breakfast	D	D			A	S	S	S	S	S	S	S	S	S	S	S										16
Broadcasting studio																			B	D	D		P			
Building supplies, retail			P		B													B			B		D	P		
Building supplies, wholesale																					A		B	P		
Car wash and auto detailing			B																A		B		D			18
Contractor's storage yard					D																		D	P		25
Convenience store, no gas sales			P														A		A		B					26
Convenience store with gas sales			A																A		A					27
Day labor employment service			D																		A		D	P		29
Dispatching office					D																B		P	P		30
Financial institution			P														D	D	B	B	B					38
Flea market, enclosed																					B					40
Flea market, open																					A		B			41
Fruit and vegetable market	BP	P		P	P												P		P		P					42
Funeral home or crematory					B												A		A		A		D			43
Gas and fuel, wholesale					B																		B	D	P	
Green market		P	P																							
Hotel, motel, SRO, Boarding & Rooming House																A				B	B	D				51
Landscape maintenance service	BD			A	B	A															B		P	P		55
Laundry services			P														B	D	D	P	P					56
Lounge, cocktail			D														A		A	A	P					57
Medical office or dental clinic	BP	B	B	B	B												A	A	B	D	D					60
Medical or dental laboratory																					B	P	P			
Monument sales, retail																					P		P			
Office, business or professional			P														P	P	P	P	P		P	P		68
Parking garage, commercial																					A		P			71
Parking lot, commercial																			B	B	D	P	P		P	71
Personal services			P														P	P	P	P	P					72
Printing and copying services			P														P	P	P	P	P		P			
Repair and maintenance,					A																A		P	P		77

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c. Accessory use. A food processing facility may be permitted as an accessory use to bona-fide agriculture provided it does not exceed 20,000 square feet.

2.2 Agricultural related manufacturing. light means an accessory agricultural use for the manufacture of products related to agricultural operations, such as but not limited to fencing, crates or containers for nursery products. Product components are predominantly made from previously prepared materials or finished products or parts. Manufacturing includes processing, fabrication, assembly, treatment and packaging of such products, and accessory storage, and distribution, but excludes heavy industrial processing. Agricultural related manufacturing shall be subject to the following standards.

a. Accessory use. Light agricultural manufacturing operations may be permitted as an accessory use to a bona fide agricultural operation provided the use does not exceed 20,000 square feet in size.

b. Buffer. A compatibility landscape buffer as defined in Sec.7.3. shall be provided if the use is adjacent to a residential use, existing as of the effective date of this ordinance, excluding farm worker quarters and mobile homes accessory to agriculture.

3. Agricultural research and development means the use of land or buildings for agriculture research and the cultivation of new agricultural products. Agricultural research and development shall comply with the following supplementary use standards.

~~a. In the SA district an agricultural research and development facility shall have a fifty (50) foot buffer from residentially occupied or zoned property in addition to the required minimum setbacks. Agricultural research and development in the SA district may exceed a height of thirty-five (35) feet, provided that the minimum yard setback standard shall be met, and in addition a three (3) foot setback shall be added for every ten (10) feet in height the structure is above thirty-five (35) feet. Agricultural research and development shall be a condition Type "A" in the RR 10 land use designation in the Future Land Use Element of the Comprehensive Plan.~~

a. Buffer. A compatibility landscape buffer as defined in Sec.7.3. shall be provided if the use is adjacent to a residential use, existing as of the effective date of this ordinance, excluding farm worker quarters and mobile homes accessory to agriculture.

4. Agricultural sales and service means an establishment primarily engaged in the sale or rental of farm tools, small implements, feed and grain, tack, riding attire, animal care products, farm supplies, machinery repair services and the like ~~including accessory food sales and machinery repair services.~~ Agricultural sales and service uses shall comply with the following supplementary use standards.

...
c. CCSO district. The sale, rental or repair of large farm equipment such as tractors shall require DRC approval.

5. Agricultural transshipment means a facility engaged in the act of transferring agricultural products between two modes of transport, such as from a truck to a railroad car or from local vehicles to long-haul trucks. ~~means packing, crating or shipping of agricultural products not grown or raised on site, and specifically excluding slaughterhouses and fish processing.~~

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1 **a. SA district.** In the SA district an agricultural transshipment facility shall have a fifty
2 foot buffer from residentially occupied or zoned property in addition to the required
3 minimum setbacks. The use shall not be permitted on land designated RR10 in the
4 Future Land Use Element of the Comprehensive Plan.

5 **b. AGR and AP districts.**

6 **(1) Accessory use.** Agricultural transshipment facilities, not to exceed 25,000 square
7 feet, shall be permitted as an accessory use.

8 **(2) Buffer.** A compatibility landscape buffer as defined in Sec. 7.3 shall be provided
9 if the use is adjacent to a residential use, existing as of the effective date of this
10 ordinance, excluding farm worker quarters and mobile homes accessory to
11 agriculture.

12 **6. Agriculture, bona fide** means any plot of land where the principal use consists of bona-
13 fide agricultural activities meaning: the raising of crops, or the raising of animals inclusive
14 of aviculture, aquaculture, horses and livestock; the production of animal products such
15 as eggs or dairy products, or the raising of plant material inclusive of a retail or
16 wholesale nursery . Agricultural uses shall comply with the following supplementary use
17 standards.
18 ...

19 **f. Accessory Agricultural uses** means uses customary to a bona fide agricultural activity
20 but not considered bona fide agriculture and allowed to be located on the site. These
21 uses may include, but are not limited to, "U-Pick-Em" operations, sale of on-site
22 produced products, corrals, training facilities, dipping vats, farm production or processing
23 of raw material, equipment used exclusively from that farm operation and equipment
24 storage shed, grading storage shed; major repair, fabrication, body work and welding of
25 agricultural equipment; freestanding coolers, bulk storage of petroleum products,
26 shipping containers as storage, washing and packing of farm products in the field, and
27 storage of equipment. packing and shipping of agricultural products Also, migrant and
28 ~~farm labor quarters and camps and accessory equipment buildings and uses, all~~
29 ~~contained within a complex designated to serve residents only are accessory. accessory~~
30 ~~uses shall be approved as site plan amendments subject to DRC review and may~~
31 ~~include water and wastewater plants, places of worship, postal facilities and recreational~~
32 ~~buildings.~~

33 **h.g. Land application of Dewatered...**

34 ...

35 **12. Assembly, nonprofit, institutional** means a site or facility, open to the public, owned
36 or operated by a not-for-profit organization for social, educational or recreational
37 purposes. Typical uses include museums, cultural centers, recreational facilities,
38 botanical gardens, arboretums or nonresidential community services such as soup
39 kitchens and medical services. Institutional nonprofit assembly uses shall comply with
40 the following supplementary use standards.

41 **a. Location...**

42 **b. AR district...**

43 **c. AGR district.** The use shall be limited to that which supports the agriculture industry
44 or provides service to farm workers.

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1 **12.1 Assembly, nonprofit membership** means a site or facility owned or operated by a
2 not-for-profit organization for social, education or recreational purposes where paid
3 membership is required. Typical uses include fraternal or cultural organizations and
4 union halls.

5 a. **Location.** The use shall be located on an arterial, collector, or local street.

6 b. **CCSO district.** The use shall be limited to that which supports the agriculture industry
7 or provides service to farm workers.

8 ...

9 **28. Day care center, limited or general.** Day care center, general, means an
10 establishment, licensed by the Department of Health and Rehabilitative Services, which
11 provides daytime or nighttime care, protection for twenty-one (21) or more children or
12 adults for a period of less than twenty-four (24) hours per day on a regular basis.

13 ...

14 g. **AGR and CCSO districts.** A day care center may be permitted with DRC approval as
15 an accessory use to a church, place of worship, farm worker quarters, an assembly
16 non-profit, institutional and membership use, and a bona fide agricultural use.

17 ...

18 **32. Entertainment, indoor** means an establishment offering entertainment or games of skill
19 to the general public for a fee or charge and wholly enclosed in a building, excluding
20 fitness centers and gun clubs. Typical uses include bowling alleys, bingo parlors, movie
21 theaters, pool halls, billiard parlors and video game arcades. An indoor entertainment
22 use shall comply with the following supplementary use standards.

23 d. **CCSO district.** Indoor entertainment uses shall not exceed 5,000 gross square feet
24 floor area.

25 ...

26 **37. Farm workers quarters** means one (1) or more residential structures or mobile homes
27 located on the site of a bona fide agricultural use and occupied by ~~year-round~~ farm
28 workers ~~employed by the owner of the farm~~ who provide labor in conjunction with the
29 agricultural operation. Farm workers quarters shall comply with the following
30 supplementary standards.

31 a. **Density.** ~~A farm tenant quarters use accessory to a bona fide farm operation shall~~
32 ~~consist of one (1) self-contained dwelling unit.~~ One (1) dwelling unit shall be permitted
33 for each twenty-five (25) acres in addition to the area required for the principal farm
34 residence.

35 ...

36 c. **Clustering.** If there are more than ten units on any one lot, they shall be clustered and
37 subject to DRC approval.

38 **37.1 Farmer's market** means an establishment for the wholesale sale of farm produce.
39 A farmer's market shall comply with the following supplementary use standards.

40 a. **Accessory use.** A retail produce market shall be permitted as an accessory use.

41 b. **Setback.** The use shall be setback a minimum of one hundred (100) feet from all
42 property lines adjacent to a residential use, existing as of the effective date of this

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ordinance, excluding farm worker quarters and mobile homes accessory to agriculture.

c. **Buffer.** A compatibility landscape buffer as defined in Sec. 7.3 shall be provided if the use is adjacent to a residential use, existing as of the effective date of this ordinance, excluding farm worker quarters and mobile homes accessory to agriculture.

d. **Location.** The use shall be located on an arterial road.

38. **Financial institution** means an establishment engaged in deposit banking. Typical uses include commercial banks, savings institutions, and credit unions, including outdoor automated teller machine and drive-thru facilities. A financial institution use shall comply with the following supplementary use standards.

...

b. **CC, CG and CHO, CCSO and Planned Development districts.** A financial institution use shall not consist of more than ten thousand (10,000) square feet of total floor area or have more than three (3) drive-up teller units, unless it is approved as a Class A Conditional Use or Requested Use, whichever is applicable.

...

45. **Golf course** means a facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities, but excluding miniature golf. A golf course facility shall comply with following supplementary use standards.

a. **Accessory use. ~~Clubhouse facility.~~** A golf course use may also include a clubhouse facility. In addition to the traditional and customary services provided by clubhouse services, the clubhouse may also contain such uses as financial institutions, ATM machines, brokerages and other personal services. ~~The clubhouse is the control center for the golf course and its primary function is to serve as the place where golfers register daily, and pay fees for the use of the golf facility. The size of the clubhouse and the services it provides may vary with local conditions and intensity of use. The clubhouse facility must be indicated on the site plan during the approval process and must meet all concurrency standards, and standards of this Code including parking and landscaping. Services the golf clubhouse may provide include various combinations of the following: locker rooms, shower rooms, dining room, snack bar, lounge, manager's office, proshop (where golf merchandise may be purchased), caddy and golf cart storage room, and recreation room reserved for special activities of clubhouse members.~~

b. **Protective fencing....**

c. **AGR-PUD District limitations.** A golf course shall be permitted in the development area of an AGR-PUD in conjunction with residential development and shall comply with the following standards.

(1) **Management Plan.** To protect adjacent farmland from golf course maintenance practices, a maintenance plan shall be developed and complied with in perpetuity. Prior to DRC approval of the Preliminary Development Plan, a management plan shall be submitted to and approved by the Department of Environmental Resources Management. At a minimum, the maintenance plan shall include the items listed below.

(a) **Best Management Practices Plan** detailing procedures for the construction, irrigation, operation, and maintenance of the golf course, designed to prevent

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contamination of adjacent properties and ground and surface waters.

(b) Pest Management Plan designed to prevent contamination of ground and surface water from pesticides, herbicides, and fertilizers.

(c) Water Quality and Quantity Monitoring Plan designed to protect adjacent wetlands and surface waters.

46. **Government services** means a buildings or facilities owned or operated by the a government entity and providing services for the public, excluding utility and recreational services. Typical uses include administrative offices of government agencies, public libraries and police and fire stations.

d. AGR district. Libraries shall not be permitted.

46.1 Green market means the temporary gathering of vendors for the purpose of selling agricultural products on a retail basis. The products shall consist of fresh unprocessed fruit, vegetables and flowers. The sale of other consumable items such as coffee, bread and sandwiches in conjunction with agricultural products is permitted.

a. Lot size. The minimum lot size shall be one acre.

b. Site plan and authorization. A site plan depicting the location and quantity of parking, separation of pedestrian and vehicular traffic and the location and size of the vendor area shall be submitted to the Zoning Director along with a notarized letter from the property owner authorizing the use of the property.

c. Duration. The market shall operate only on weekends.

d. Stands. Each stand shall not exceed 150 square feet. The stand shall remain transportable. Motor vehicles such as vans or small trucks may be permitted provided the vehicle is removed from the site at the close of the market each weekend.

e. Signage. One free-standing, non-illuminated sign shall be permitted for the entire site. The sign shall not exceed twenty five (25) square feet in area nor six (6) feet in height. The sign must be five (5) feet from any base building line. It shall not be located in a safe distance triangle.

f. Debris. All debris must be removed from the site at the end of each weekend.

55. **Landscape maintenance service** means an establishment engaged in the provision of landscape installation or maintenance services. A landscape maintenance service use shall be subject to the following supplementary use standards.

e. CCSO and AGR districts. Landscape maintenance services shall be permitted only in conjunction with a nursery.

60. **Medical or dental office or clinic** means an establishment where patients, who are not lodged overnight are admitted for examination or treatment by one (1) person or group of persons practicing any form of healing or health-building services to individuals, whether such persons be medical doctors, chiropractors, osteopaths, chiropractists,

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naturopaths, optometrists, dentists, or any such profession, the practice of which is lawful in the State of Florida. A medical office or dental clinic use shall comply with the following supplementary standards.

- a. **SA, AP, AGR, CCSO district.** A medical office or dental clinic use shall be limited to public health or government owned clinics servicing the rural community.

66.2 **Nursery, wholesale** means the cultivation for wholesale sale of horticultural specialties such as flowers, shrubs, sod, and trees, intended for ornamental or landscaping purposes.

- i. AGR district. A retail nursery may be permitted as an accessory use to a wholesale nursery.

68. **Office, business or professional** means an establishment providing executive, management, administrative or professional services, but not involving medical or dental services or the sale of merchandise, except as incidental to a permitted use. A business or professional office use shall be subject to the following supplementary use standards.

- a. **CN and CCSO district.** An office building shall not exceed eight thousand (8,000) square feet of gross floor area per lot. A contract post office or an office for utility bill collection shall be permitted by right if it occupies less than two thousand (2,000) square feet of gross floor area.

- e. **Accessory uses.** Except in the CN and CCSO districts, an office may have a convenience store not exceeding five hundred (500) square feet or twenty-five percent (25%) of the gross floor area, exclusive of parking which ever is less. All such uses shall be completely internal to the office and shall not have a separate entrance nor any exterior signage.

68.1 **Packing plant** means a facility, accessory to bona fide agriculture, used for the packing of produce. A packing plant shall be subject to the following supplementary use standards.

- a. Urban service area. A packing plant in the urban service area shall adhere to the following.
- a-(1). Location...
 - b-(2). Minimum lot size...
 - c-(3). Setbacks...
 - d-(4). Noise...
 - e-(5). Loading and unloading...
 - f. (6). Storage...
 - g-(7). Compatibility...
 - h-(8). Preservation...
 - i. (9). Spraying...
 - j-(10). Notification...

- b. AGR district.

- (1) Accessory use. A packing plant may be permitted as an accessory use to a bona fide agricultural operation provided the use does not exceed 25,000 square feet.
- (2) Buffer. A compatibility landscape buffer as defined in Sec. 7.3 shall be provided if the use is adjacent to a residential use, existing as of the effective date of this

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ordinance, excluding mobile homes accessory to agriculture and farm worker quarters.

...

SUBPART 8 Section 6.5, Property Development Regulations is amended to add and delete language as follows:

A. Property development regulations schedule...

TABLE 6.5-1
PROPERTY DEVELOPMENT REGULATIONS SCHEDULE

Zoning District	Min. Lot Dimensions			Density per acre		Max FAR	Max. Bldg. Cover	Min. Bldg Setbacks (ft.)			
	Size	Width	Depth	Min.	Max.			Front ³	Side	Street	Rear
PC	1 ac.	-	-	-	-	-	-	50	50	50	50
AGR	540 -ac.	300	300	-	<u>0.2</u>	.10	10%	100	50	80	100
<u>AGR-CCSO</u>	<u>1 ac</u>	<u>330</u>	<u>100</u>	<u>-</u>	<u>-</u>	<u>.35</u>	<u>25%</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
AP	10 ac.	300	300	-	-	.10	10%	100	50	80	100
SA	10 ac.	300	300	-	-	.15	10%	100	50	80	100
RSER	10 ac.	300	800	-	-	.35	20%	25	50	25	50
AR	10 ac.	300	300	-	0.1	.15	10%	100	50	80	100
CRS	10 ac.	300	300	-	0.1	.15	10%	100	50	80	100
RE	2.5 ac.	180	200	0.0	0.4		20%	50	40	50	50
RT	20,000	100	125	1.0	1.5		25%	25	15	25	25
RTS	14,000	100	125	1.0	2.0		25%	25	15	25	25
RTU	8,000	85	90	3.0	4.0		35%	25	10.5	10.5	20
RS	6,000	65	75	3.0	5.0		40%	25	7.5	15	15
RM	<u>1*</u>	65	75	5.0	6.0		35%	25	15	25	12
RH	<u>1*</u>	65	75	5.0	6.0		35%	25	15	25	12
CN	1 ac.	100	100	-	-	.35	25%	30	30	30	30
CLO	1 ac.	100	200	-	-	.35	25%	40	15	25	20
CC	1 ac.	100	200	-	-	.35	25%	30	30	30	30
CHO	1 ac.	100	200	-	-	.35	25%	40	15	25	20
CG	1 ac.	100	200	-	-	.35	25%	50	15	25	20
CRE	3 ac.	200	300	-	-	.50	25%	80	50	80	50
IL	1 ac.	100	200	-	-	.45	45%	40	15	25	20
IG	2 ac.	200	200	-	-	.45	45%	45	20	45	20

SUBPART 9 SEC. 6.8.A.1. PLANNED DEVELOPMENT DISTRICT REGULATIONS, GENERAL is amended to add and delete language as follows:

A. General....

1. Purpose and intent....

...

- m. Provide for innovations in land development, especially for affordable housing and infill development;
- n. ~~Changed circumstances necessitate modifications.~~
Ensure modifications to approved Planned Development Districts result from changed circumstances that necessitate the need for the modification; and.
- o. Provide for low density residential development within the Agricultural Reserve area compatible with agricultural practices.

...

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1 **SUBPART 10 SEC. 6.8.A.2.b. PLANNED DEVELOPMENT DISTRICT REGULATIONS,**
2 **GENERAL, APPLICABILITY is amended to add and delete language as**
3 **follows:**

4 **b. Modifications to a previous planned developments.** Modifications to a previously
5 approved planned developments shall comply with Sec. 1.5, the requirements of this
6 section and the requirements of the applicable planned development section.

7 (1) **Nonconforming uses.** A previously approved planned developments which is now
8 considered as planned development shall not be classified as a nonconforming
9 uses.

10 (2) **Zoning.** A previously approved planned developments whether built or unbuilt,
11 except within the AGR district, may be amended pursuant to the standards and
12 procedures of this section by the DRC or the BCC without rezoning to a Planned
13 Development District, provided the project has a valid initial development order
14 according to Article 3, Definitions. A Planned Development within the AGR district
15 shall rezone to a PDD, pursuant to Sec. 5.3, Official Zoning Map Amendments.

16 (3) **DRC....**

17 (4) **Land uses....**

18 (5) **Property development regulation....**

19 **3. Residential density and Comprehensive Plan land uses categories.** ~~The residential~~
20 ~~densities and corresponding Comprehensive Plan land use categories for planned~~
21 ~~developments districts and previously approved planned developments shall be~~
22 ~~determined by the following:~~

23 ~~a. **Table 6.8-1.** Table 6.8-1, Planned Development District Densities and~~
24 ~~Corresponding Land Use Categories, indicates t~~ The minimum density, the
25 standard density, the planned development density, and the Comprehensive Plan
26 land use categories which correspond to the various Planned Development
27 Districts shall be determined by Table 6.8-1, Planned Development District
28 Densities and Corresponding Land Use Categories.

29 (1) **Computation of density....**

30 (2) **Minimum development density....**

31 (3) **Standard development density....**

32 (4) **Planned development density....**

33 (5) **Affordable housing....**

34 (This space intentionally left blank)

TABLE 6.8-1
PLANNED DEVELOPMENT DISTRICT DENSITIES AND CORRESPONDING LAND USE CATEGORIES

PLANNED DEVELOPMENT DISTRICT	DENSITY RANGE IN "DWELLING UNITS PER ACRE (DU/AC.)" BY COMPREHENSIVE PLAN LAND USE CATEGORY									
	RR10	LR1	LR2	LR3	MR5	HR8	HR12	HR18		
PUD	Min - None Std - None PDD - .1 ✓	Min - None Std - None PDD - 1 ✓	Min - 1 Std - 1.5 PDD - 2 ✓	Min - 1 Std - 2 PDD - 3 ✓	Min - 3 Std - 4 PDD - 5 ✓	Min - 5 Std - 6 PDD - 8 ✓	Min - 5 Std - 6 PDD - 8 ✓	Min - 5 Std - 6 PDD - 8 ✓		
TND		Min - None Std - None PDD - 3 ✓	Min - 1 Std - 1.5 PDD - 4 ✓	Min - 1 Std - 2 PDD - 5 ✓	Min - 3 Std - 4 PDD - 7 ✓	Min - 5 Std - 6 PDD - 10 ✓	Min - 5 Std - 6 PDD - 14 ✓	Min - 5 Std - 6 PDD - 18 ✓		
MXPD										
MUPD	✓									
PIPD										
MHPD	Min - None Std - None PDD - .1 ✓	Min - None Std - None PDD - 1 ✓	Min - 1 Std - 1.5 PDD - 2 ✓	Min - 1 Std - 2 PDD - 3 ✓	Min - 3 Std - 4 PDD - 5 ✓	Min - 5 Std - 6 PDD - 8 ✓	Min - 5 Std - 6 PDD - 8 ✓	Min - 5 Std - 6 PDD - 8 ✓		
RVPD	✓									
SWPD	✓	✓	✓	✓	✓	✓	✓	✓		

LEGEND ✓ Check (✓) indicates that the Planned Development District corresponds to the Comprehensive Plan Land Use Category.

Planned Development Zone Districts

PUD - Planned Unit Development

TND - Traditional Neighborhood District

PDD - Planned Development District Bonus Density

MXPD - Mixed Use Planned Development

MUPD - Multiple Use Planned Development

PIPD - Planned Industrial Park Development

MHPD - Mobile Home Park Planned Development

RVPD - Recreational Vehicle Park Planned Dev.

SWPD - Solid Waste Disposal Planned Development

Comprehensive Plan Land Use Categories

RR 10 - Rural Residential 10

RR 10 - Rural Residential 10

LR 2 - Low Residential 2

LR 3 - Low Residential 3

MR 5 - Medium Residential 5

HR 8 - High Residential 8

HR 12 - High Residential 12

HR 18 - High Residential 18

Density Range

Min - Minimum Development Density

Std - Standard Development Density

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TABLE 6.8-1
PLANNED DEVELOPMENT DISTRICT DENSITIES AND CORRESPONDING LAND USE CATEGORIES

PLANNED DEVELOPMENT DISTRICT	DENSITY RANGE IN "DWELLING UNITS PER ACRE (DU/AC.)" BY COMPREHENSIVE PLAN LAND USE CATEGORY						
	CLO	CL	CHO	CH	IND	AGR	CRE
PUD						Min - None Std - None PDD - 1 ✓	
TND							
MXPD	✓	✓	✓	✓			
MUPD	✓	✓	✓	✓	✓		✓
PIPD					✓		
MHPD							
RVPD							✓
SWPD	✓	✓	✓	✓	✓	✓	✓

Legend

✓ Check (✓) indicates that the Planned Development District corresponds to the Comprehensive Plan Land Use Category.

Planned Development Zone Districts

PUD - Planned Unit Development
TND - Traditional Neighborhood District
CHO - Commercial High Office
MXPD - Mixed Use Planned Development
MUPD - Multiple Use Planned Development
PIPD - Planned Industrial Park Development
MHPD - Mobile Home Park Planned Development
RVPD - Recreational Vehicle Park Planned Development
SWPD - Solid Waste Disposal Planned Development

Comprehensive Plan Land Use Categories

CLO - Commercial Low Office
CL - Commercial Low
PDD - Planned Development District Bonus Density
CH - Commercial High

Density Range

Min - Minimum Development Density
Std - Standard Development Density

IND - Industrial

AGR - Agricultural Reserve

CRE - Commercial Recreation

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TABLE 6.8-1, NOTES:

- This chart indicates the Comprehensive Plan land use categories which correspond to Planned Development Districts. For previously approved planned developments, except for projects located within the Agricultural Reserve, which shall be subject only to the AGR land use, the Zoning Director shall use the land use category which most closely reflects the existing Zoning district and development order. For example, a development previously approved as a planned office business park in the CHO zoning district most closely corresponds to the CHO land use category. A complete listing of land use categories available in unincorporated Palm Beach County is located within the Comprehensive Plan.
- Actual maximum density granted to a Planned Development is based upon meeting performance goals and Comprehensive Plan objectives. Actual density granted by the BCC to a Planned Development may be less than the maximum density indicated.
- ~~Gross densities above eight (8) dwelling units per acre (based on entire area of a Planned Development) shall be limited to affordable housing programs included in the Palm Beach County Comprehensive Plan and may apply for property development regulations for density bonus programs.~~
- The equitable distribution of affordable housing shall be pursued through the provisions of the Voluntary Density Bonus (VDB) Program pursuant to the Housing Element of the Palm Beach County Comprehensive Plan.
- Densities indicated in Table 6.8-1 shall be calculated based upon the gross area of a Planned Development.
- Maximum density for a Traditional Neighborhood District (TND) is calculated by adding the maximum underlying density of a residential land use category to the maximum density bonus available, up to two (2) dwelling units per acre, granted through the rezoning process.
- Residential density for a MXPD shall be determined by the underlying residential land use category of the commercial or industrial land use category indicated on the Comprehensive Plan Land Use Atlas. Land with a commercial or industrial land use designation without an underlying residential land use category shall be assigned a residential density by PZB based on the residential density of land surrounding the proposed district.
- ~~Until such time as the Agricultural Reserve study is complete, PUDs shall not be developed within this land use category.~~

3. Initiation of application....

4. Preapplication Conference....

5. Threshold review....

6. Submission of application....

7. Contents of application....

...

I. Preservation area in AGR PDD. An explanation of how the preservation area meets or will be altered to meet, as appropriate, the requirements of the AGR-PUD standards.

f. m. Other requirements. Other information as may be deemed appropriate by the Zoning Director.

8. Determination of sufficiency....

9. Review and certification by DRC.

- a. **Timing.** Within seven (7) working days after the application is determined sufficient, the Development Review Committee shall provide the applicant with a draft list of issues, if any, and then shall convene within three (3) working days of notification of issues to review the application and determine whether

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1 it should be certified. An application shall not be certified unless it meets the
2 minimum standards for that use pursuant to Article 6 Sec. 5.4.E.9. ~~The decision~~
3 ~~by the Zoning Director on whether to issue an Adequate Public Facilities~~
4 ~~Determination, a Certificate of Concurrency Reservation, a Certificate of~~
5 ~~Concurrency Reservation with conditions, or a Conditional Certificate of~~
6 ~~Concurrency Reservation, whichever is appropriate, pursuant to and Article 11~~
7 ~~Adequate Public Facility Standards, shall be made prior to the Development~~
8 ~~Review Committee's decision on whether to certify an application. If a decision~~
9 ~~on adequate public facilities shall be delayed pursuant to the procedures and~~
10 ~~standards of Article 11, Adequate Public Facilities Standards, the time for~~
11 ~~completion of the Development Review Committee decision shall be delayed so~~
12 ~~that the Zoning Director's decision pursuant to Art. 11, Adequate Public Facilities~~
13 ~~Standards, is made prior to the Development Review Committee's decision on~~
14 ~~whether to certify the application. An application shall not be forwarded to the~~
15 ~~Zoning Commission for review until it has been certified by the Development~~
16 ~~Review Committee.~~

17 ...

18 **10. Public hearings.** The Zoning Commission and the Board of County
19 Commissioners shall hold public hearings in accordance with Sec. 5.3.D.5 of this
20 code. The Zoning Commission and the Board of County Commissioners each shall
21 hold at least one (1) public hearing on a proposed Development Plan for a Planned
22 Development District classification when that amendment would affect less than
23 five (5) percent of the land in the County. The public hearings shall be held before
24 5:00 PM on a weekday.

25 **11. Notice.**

26 **a. Courtesy notice.** A courtesy notice shall be provided to land owners adjacent
27 to proposed planned developments, pursuant to the following standards.

28 **(3) b. Interested parties notice.** *Notice of all public hearings shall be mailed to all*
29 *organizations, associations and other interested persons or groups that have*
30 *registered with the Executive Director of PZB and paid an annual fee to defray*
31 *the cost of mailing. (6.8.A.12.a.(3))*

32 **c. Publication for Development Order Amendments.** Publication requirements
33 for Development Order Amendments shall be published, mailed and posted in
34 accordance with Sec. 5.4 of this code as applicable.

35 ~~**a. Publication.** No publication of notice is required for a proposed Preliminary~~
36 ~~Development Plan that affects less than five (5) percent of the land area in the~~
37 ~~unincorporated County.~~

38 ~~**(1) Mailing.** A courtesy notice of a Preliminary Development Plan for a Planned~~
39 ~~Development affecting less than five (5) percent of the total land area of the~~
40 ~~unincorporated County shall be mailed to all owners of real property located~~
41 ~~within three hundred (300) feet of the periphery of the land to be affected by~~
42 ~~the requested change, whose names and addresses are known by reference~~
43 ~~to the latest published ad valorem tax records of the County property~~
44 ~~appraiser. The Zoning Division shall write and send the notices by certified~~
45 ~~mail in envelopes with return receipt requested, properly addressed and~~
46 ~~postage prepaid, to each owner as the ownership appears on the last~~
47 ~~approved tax roll as supplied by the applicant. The notices shall state the~~
48 ~~substance of the proposal and shall set a date, time and place for the public~~
49 ~~hearing. Such notice shall be mailed not less than fifteen (15) calendar days~~
50 ~~before the date set for the first public hearing. A copy of such notice shall be~~
51 ~~kept available for public inspection during regular business hours at the~~

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~~Zoning Division.~~

- ~~(2) Posting. The land subject to the application shall be posted with a notice (a sign) of the public hearing at least fifteen (15) calendar days in advance of any public hearing. All signs shall be erected in full view of the public on each street along the perimeter of the project. The signs shall be removed after the decision is rendered on the application. The failure of any such posted notice to remain in place after the notice has been posted shall not be deemed a failure to comply with this requirement, or be grounds to challenge the validity of any decision made by the Board of County Commissioners.~~

- ~~b. Five (5) percent or more of land in unincorporated County. A hearing for a rezoning to a Planned Development District comprising five (5) percent or more of the land in the unincorporated County shall follow the publication, mailing, posting, and other notice requirements of Sec. 5.3.D.7.b.~~

12. Action by Zoning Commission....

- a. **Postponement.** A postponement of thirty (30) or sixty (60) days; or,
b. **Recommendation....**

13. Action by BCC.

14. Action by Development Review Committee (DRC).

- a. **Effect of certification...**
b. **Modifications to a Preliminary Development Plan, Master Plan or Site Plan....**
(1) **Traffic....**
(2) **Consistency.** The modification shall be consistent with the purpose and intent of the original approval, this section, the regulating plan and the development order. Changes proposed to a Preliminary Development Plan, Master Plan or Site Plan which result in changing the original goals or intent of the project, such as but not limited to: reducing internal trip capture; substantially diminishing non-vehicular circulation opportunities; substantially reducing or increasing the amount of affordable housing; or, for PDD in the AGR category the reduction of the amount of land allocated to the preservation of agriculture, farmland, wetlands, or water preservation areas shall require approval by the Board of County Commissioners.
...
c. **Modifications to a regulating plan and limited deviations from property development regulations....**
(1) **Consistency and intent....**
(2) **Concurrency.** A revised Concurrency Reservation certificate shall be required if the deviation increases or decreases the overall demand for a service ~~above the levels~~ approved in the development's Certificate of Concurrency Reservation;

15. Effect of Preliminary Development Plan DRC Certification....

16. Classification of Official Zoning Map....

- 17. Effect of development order for Preliminary Development Plan.** Issuance of a development order for a Preliminary Development Plan shall be deemed to authorize amendment to the Official Zoning Map consistent with the terms and conditions of the development order. If an application for a development permit for a Final Site Plan/Final Subdivision Plan is not approved within the time limits

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established in Sec. 5.8., Compliance with Time Limitations, the development order shall be subject to the review requirements of Sec. 5.8.

(a) AGR-PUD Special Provisions. For the purpose of applying Sec. 5.8. any development permit within the preservation area shall not constitute a development order to vest the residential component of the PUD.

18. Amendment to Preliminary Development Plan....

19. Phasing controls and platting....

20. Unified control....

a. BCC conditions....

b. County Attorney approval....

c. Public civic uses, AGR-PUD preservation areas. Public civic use areas and AGR-PUD preservation areas shall not be subject to regulating documents as required in Sec. 6.8.A.21.b above, unless set forth in the development order approved by the Board of County Commissioners. However, a preservation area in an AGR-PUD shall be shown on a plan.

...

21. Use regulations....

b. a. General land uses....

a. b. Administrative categories....

(1) Additional requested uses. Additional uses may be designated as requested land uses by complying with the following.

(a) Justification. These uses shall be listed and justified in the land use justification report for the Planned Development District or previously approved planned development; and,

(b) Location. These uses shall be located in pods of Planned Development Districts which are similar and comparable to a standard zoning district in which these uses are allowed.

c. Supplementary use standards....

e. d. Accessory uses. Principal uses listed in the Use Regulations Schedule (Table 6.8-2) are deemed to include accessory uses identified by this Code and such other accessory uses that are necessarily and customarily associated with and are incidental and subordinate to such principal uses. An accessory use shall be subject to the same regulations that apply to the principal use, except as otherwise provided.

(1) Location. All accessory uses, buildings and structures, except for approved off-site parking, shall be located on the same lot as the principal use in each district, except as otherwise provided. **(2)** The permitted accessory use shall not exceed thirty (30) percent of the gross floor area or business receipts of the principal use, or uses.

~~**d. Additional requested uses.** Additional uses may be designated as requested land uses by complying with the following.~~

~~**(1) Justification.** These uses shall be listed and justified in the land use justification report for the Planned Development District or previously approved planned development; and,~~

~~**(2) Location.** These uses shall be located in pods of Planned Development Districts which are similar and comparable to a standard zoning district in which these uses are allowed.~~

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USE REGULATIONS SCHEDULE

Use Type	Planned Development Zoning District																				NOTE					
	PUD					TND					MXPD			MUPD					PIPD			MHPD	RVPD	SWPD		
	Use Zone PODS					Use Zone					Land Use Category			Land Use Category					Use Zone							
	REC	RES	CIV/P	COM	AGR/P	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CHO	CH	RR	CLO	CL	CHO	CH	CR					IND	IND/L
Agricultural uses																										
Agriculture, bona fide					G																				6	
Agricultural research/development																				G		G				3
Agricultural sales and service								G		G									G			G				4
Agricultural transshipment										G										G		G				5
Aviculture					G																					15.1
Equestrian arena, commercial			R				R												G							34
Groves/row crops					G																					47.1
Kennel, commercial				R					G				R					R				G				53
Kennel, private		G																								54
Livestock raising					G																					56.1
Nursery, retail				G	G			G		G			G					G				G				66.1
Nursery, wholesale					G				G					G							G		G			66.2
Shadehouse, accessory					G																					87.1
Stable, commercial					G									G					G							90
Stable, private		G			G	G																				91
Agricultural stand for sale of agricultural products				G	S				G	G		G	G	G			G		G	G	G		G			92
Storage, indoor agricultural					G																					92.1
Sugar mill or refinery																						G				93

Key to Use Regulations Schedule Land Use Abbreviations:

IND/G = General Industrial CL = Commercial Low IND = Industrial RR = Rural Residential 10
CH = Commercial High CLO = Commercial Low Office REC = Recreation SECT = Sector
CHO = Commercial High Office COM = Commercial RES = Residential SHOP = Shopfront
CIV/P = Privately Owned Civic CR = Commercial Recreation WORK = Workplace
IND/L = Light Industrial

Key to Use Regulations Schedule:

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	Use Zone PODS					Use Zone					Land Use Category				Land Use Category					Use Zone							
	REC	RES	CIV/P	COM	AGR/P	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CHO	CH	RCLO	CL	CHO	CH	CR	IND	IND/L	COMM					IND/G
Commercial uses																											
Adult entertainment																					S	S					2
Auction, enclosed				R				G	G	G									G	G		G					13
Auction, outdoor										R									R	R	R	G	G	G			13
Automotive paint or body shop				R						R									R		R	G	G	G			14
Automotive service station				R						R	R	R				R		R	R	R		G	G	G			15
Bed and Breakfast		GD		GD		S		S		S	S	S	S		S	S	S	S	S			S					16
Broadcasting studio				R				R		G	R	R	R	R		R	R	G	G	G	G	G	G				
Building supplies, retail				R				G		G				R					R			G					
Building supplies, wholesale									G	G											G	G	-	G			
Car wash and auto detailing				R						G				R					R		G	G	G	G			18
Contractor's storage yard																					G	G	G				25
Convenience store				G				G		G	G	G	G	G		G		G				G		G	G		26
Convenience store with gas sales				R						R		R		R					R			G					27
Day labor employment service																			R		R	G					29
Dispatching office									G	G				R					R			G	G	G			30
Financial institution				G				G		G	R	R	G	G		R	R	G	G			G					38
Flea market, enclosed										G				R					R			G					40
Flea market, open																			R			R					41
Fruit and vegetable market				G	G			G		G		G		G		G		G				G					42
Funeral home or crematory										R				R				R		R		G					43
Gas and fuel, wholesale										R											R		G				
Hotel, motel, SRO, Boarding & Rooming House				R				R		G			R	R				R	R	R		G					51
Landscape maintenance service				R					G	G				R	R				R		G	G	G				55
Laundry services				G				G		G	G	G	G	G		G	G	G	G			G	G		G	G	56
Lounge, cocktail				R				R		G		R	R	G				R	G	G	G		G				57
Medical or dental clinic				G				G		G	G	G	G	G		G	R	G	G			G					60
Medical or dental laboratory										G						G	G	R	G			G					
Monument sales, retail				G				G		G		G		G				G		G			G				
Newsstand or gift shop				G				G		G	G	G	G	G		G	G	G	G	G		G	G		G	G	66
Office, business or professional				G				G	G	G	G	R	G	G		G	R	G	G			G					68
Parking garage, commercial				R						G									R	R	R		G				71
Parking lot, commercial				R						G									R	R	G						71
Personal services				G				G		G	G	G	G	G		G	G	G	G			G		G			72
Printing and copying services				G				G		G	G	G	G	G		G	G	G	G			G					
Repair and maintenance, general				R						G									R		G	G	G	G			77
Repair services, limited				G						G	G	G	G	G		G	G	G	G		G		G				78
Restaurant, fast food				R								R	R					R	R			G					79

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Use Type	Planned Development Zoning District																				NOTE							
	PUD					TND					MXPD				MUPD							PIDP			MHPD	RVPD	SWPD	
	Use-Zone PODS					Use Zone					Land Use Category				Land Use Category							Use Zone						
	REC	RES	CIV/P	COM	AGR/P	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CH	CH	RR	CLO	CL	CH	CH	CR		IND	IND/L	COMM				IND/G
Restaurant, general quality				G				G	G		R	G	G	G		R	G	G	G	G			G					80
Restaurant, specialty	G			G				G	G		G	G	G	G		G	G	G	G	G			G					81
Retail sales, general				G				G	G		G	G	G	G			G		G				G					82
Retail sales, Mobile, temporary or transient					S			S	S			S	S		S	S	S	S					S					
Self-service storage										G							R		R		G	G	R	G				83
Theater, drive-in										R									R	R			R					87
Theater, indoor				R						R				R					R	G								
Towing service and storage										R											G	G						
Upholstery shop				G		G		G	G	G		G		G			G		G		G	G	G					
Vehicle inspection center				R						R		R		R			R		R		G	G	G					
Vehicle sales and rental				R						R		R		R			R		R				R					97
Veterinary clinic, accessory				R	R			R		G	R	R	R	R	R	R	R	R	G	G			G					98
Vocational school *not permitted in the AGR-PUD				R						G		R	R	R			R	G	G		G		G					99
Wholesaling, general										G											G	G	G					102

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 IND/L = Light Industrial

Key to Use Regulations Schedule:

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	Use Zone PODS					Use Zone					Land Use Category				Land Use Category				Use Zone										
	REC	RES	CIV/P	COM	AGR/P	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CHO	CH	RR	CLO	CL	CHO	CH	CR	IND					IND/L	COM**	IND/G	
Industrial uses																													
Asphalt or concrete plant																					R			G					
Data information processing												G	G	G			G	G	G		G		G	G	G				
Excavation, Type III																								R				35	
Grain milling or processing																					G			G					
Heavy industry																				R	R		G						
Laboratory, industrial research										G										R		G		G					
Machine or welding shop										G	G										G	G		G				58	
Manufacturing and processing										G											G	G		G					
Motion picture production studio																		G	G	R	G	G	G	G				64	
Office of industrial nature										R												G	G						
Pottery shop, custom								G	G			G	G				G	G		G		G		G					
Salvage or junk yard																					R			R					
Transportation transfer facility (distribution)																						G		G					
Warehousing										G											G	G		G				100	
Woodworking or cabinetmaking				R					R	R				R					R		G	G		G					

Key to Use Regulations Schedule Land Use Abbreviations:

IND/G = General Industrial
CH = Commercial High
CHO = Commercial High Office
CIV/P = Privately Owned Civic
IND/L = Light Industrial

CL = Commercial Low
CLO = Commercial Low Office
COM = Commercial
CR = Commercial Recreation

IND = Industrial
REC = Recreation
RES = Residential
WORK = Workplace

RR = Rural Residential 10
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	REC	RES	CIV/P	COM	AGR/P	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CHO	CH	RR	CLO	CL	CHO	CH	CR	IND					IND/L	COM**	IND/G	
Public and civic uses																													
Airplane landing strip, accessory			R					R												R	R		R	R	R				9
Airport																				R	R		R		R				9
Assembly, nonprofit institutional			R	G				R		G	R	R	G	G			R		G	G	G		G	G					12
Assembly, nonprofit membership			R																										12.1
Cemetery or mausoleum			R																										19
Church or place of worship			R	R				R				R	R				R		R	R			R			R			21
College or university			R							R		R	R						R		R		R						
Day care center, general			R	R				R		G	R	R	R	R			R	R	R	R	R		R	R	R	R	R		28
Day care center, limited			G	G				G	G	G	G	G	G	G	R	G	G	G	G	G	G	G	G	G	G	G	G	G	28
Government services			R	G				R	G	G	G	G	G	G	R	G	G	G	G	G	G	G	G	G	G	G	G	G	46
Helipad or helipad				R				R			R				R			R	R	R	R		G	G	G				9
Hospital or medical center				R						R		R	R	R			R	R	R				R						52
School, elementary or secondary *not permitted in AGR-PUD			R									R	R	R			R	R	R	R			R						85
Transportation facility				R						R				R					R		R		G	G	G				

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		Use Zone PODS					Use Zone					Land Use Category				Land Use Category					Use Zone								
		REC	RES	CIV/P	COM	AGR/PE	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CHO	CH	REC	CLO	CL	CHO	CH	CR	IND	IND/L					COM**	IND/G
Recreational uses																													
Amusements, temporary or Special event		S		S	S				S	S	S		S	S	S		S	S	S	S	S		S	S					10
Arena, auditorium or stadium					R						R				R					R	R		R						11
Campground																					G								17
Camping Cabin																											G		17.1
Entertainment, indoor					R			R		R		R		R			R		R	G			G						32
Entertainment, outdoor					R				R		R		R		R		R		R	G			G						33
Fitness center		G		R	R			R		G		R	G	G			R	G	G	G			G						39
Golf course		R									R	R	R	R			R	R	R	R	R	R	G		G				45
Gun club, enclosed										R										R	R	R	G	R	G				48
Gun club, open																					R								49
Gun range, private																							G	R	G				
Marine facility		R			R					G			R	R					R	R	R		G						59
Park, passive		G	G	G	G	R	G		G	G	G	G		G	G	G	G	G	G			G	G	G	G	G	G		69
Park, public		G		G								R	R	G	G			R		G	G	G	G			R	R		70
Zoo																				R	R								104

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	Use Zone PODS					Use Zone					Land Use Category				Land Use Category					Use Zone						
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Residential uses																										
Single-family		G				G																				88
Zero Lot Line		G				G					G	G	G	G												103
Multi-family		G				G		G	G	G	G	G	G	G												65
Mobile home dwelling					S																			G		62
Townhouse		G				G					G	G	G	G												95
Accessory dwelling		S			S	G																				1
Congregate living facility, Type 1		G				G																				24
Congregate living facility, Type 2		R	S				S					S		S								S				24
Congregate living facility, Type 3		R	R	R			R			R	R	R	R	R		R	R	R	R							24
Farm residence					G																					36
Farm tenant quarters																										37
Garage sale		G			G	G					G	G	G	G										G		44
Guest cottage		G																								
Home occupation		G			G	G					G	G	G	G										G		50
Nursing or convalescent facility				R			R			G		R		R			R		R							67
Security or caretaker quarters			S	S	S		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	8

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	POD Use Zone					POD Use Zone					Land Use Category				Land Use Category						Use Zone						
	REC	RES	CIV/P	COM	AGRP	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CHO	CH	RR	CLO	CL	CHO	CH	CR	IND	IND/L	COM**				
Accessory and Temporary uses																											
Type II Excavation	G	G	G	G		G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	35
Agricultural Excavation					G																						35

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CHO = Commercial High Office COM = Commercial RES = Residential SHOP = Shopfront
CIV/P = Privately Owned Civic CR = Commercial Recreation WORK = Workplace
IND/L = Light Industrial

Key to Use Regulations Schedule:

G = General Land Use S = Special Land Use R = Requested Land Use D = Subject to DRC

(This space intentionally left blank.)

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**TABLE 6.8-2
PLANNED DEVELOPMENT DISTRICT
USE REGULATIONS SCHEDULE**

Use Type	Planned Development Zoning District																				NOTE						
	PUD					TND					MXP				MUP				PIP			MHP	RVP	SWP			
	Use Zone PODS					Use Zone					Land Use Category				Land Use Category				Use Zone								
	REC	RES	CIV/P	COM	AGRP	RES	CIV/P	SHOP	WORK	SECT	CLO	CL	CH	CH	CR	IND	IND/L	COM	IND/G								
Utilities																											
Air curtain incinerator, permanent																	R	R	R			R	7				
Air curtain incinerator, temporary				S	S				S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	8			
Chipping and mulching																	G	G	G			G	20				
Communication panels antennas, building mounted	D	D	D	G		D	G	D	D	D	D	D	D	D	D	D	G	G	D	G				22.1			
Communication tower, commercial					R		R		R				R	R			R	D	R	G	G	G		22			
Composting facility																	G	G	G			G	23				
Electrical power facility				R					R						R		R	R	R	R	G	R	G	31			
Incinerator																							R	84			
Recycling center									G							G	G	G	G	G	G	G					
Recycling station			S	S			S	S	S	S	S	S	S	S		S	S	S	S	S	S	S		G	74		
Recycling bin	S		S	S			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	G	75		
Recycling plant									R									G	G	G	G			G	76		
Sanitary landfill																								R	84		
Solid waste transfer station															R			R	R	R	R	G	R	G		89	
Utility, minor		G	G	G			G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	G	96	
Water or wastewater plant			R						R			R	R	R	R		R	R	R	R	G		G	R	R	G	101

Key to Use Regulations Schedule Land Use Abbreviations:

IND/G = General Industrial	CL = Commercial Low	IND = Industrial	RR = Rural Residential 10
CH = Commercial High	CLO = Commercial Low Office	REC = Recreation	SECT = Sector
CHO = Commercial High Office	COM = Commercial	RES = Residential	SHOP = Shopfront
CIV/P = Privately Owned Civic	CR = Commercial Recreation		WORK = Workplace
IND/L = Light Industrial			

Key to Use Regulations Schedule:

G = General Land Use S = Special Land Use R = Requested Land Use D = Subject to DRC

Notes to Table 6.8-2:

- ◆ Publicly owned civic uses shall consist of land uses which are required to provide services to meet concurrency requirements such as, but not limited to, required parks, water treatment facilities and fire stations, and services required to mitigate other impacts of the development to service providers such as, but not limited to, public schools or libraries.
- ◆ Recreational land uses as required by Article 17, Park and Recreation Standards, and the applicable planned development district regulations shall be allowed according to Sec. 6.4, Use Regulation Schedule, active and passive recreation.
- ◆ Additional land uses not indicated in Table 6.8-2, may be specifically allowed within individual Planned Development Districts as specified.

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SUBPART 11 6.8.B. PUD, Residential Planned Unit Development District is amended to add and delete language as follows:

3. Previous approvals. Modifications to previously approved PUD special exceptions shall be consistent with the character of the land uses approved for the area and shall comply with the following regulations.

c. Modifications to a Preliminary Development Plan, Master Plan or Site Plan. Modifications shall comply with the provisions in Sec. 6.8.A.15.b.

4. Application. The applicant shall provide a Preliminary Development Plan, a Regulating Plan, a Justification Report, and other information as required by PZB for processing a rezoning, rezoning amendment or BCC modification to an existing PUD special exception. These documents shall demonstrate compliance with Sec. 6.8, Planned Development District Regulations, and this section.

a. Preliminary Development Plan. A PUD shall be governed by a Preliminary Development Plan approved by the BCC which illustrates, in a graphic, written and tabular form, the density, intensity and conceptual design of the PUD. The requirements of a Preliminary Development Plan are found below, in Sec. 6.8.A.8, Contents of application, and the rezoning application form.

(1) Minimum thresholds. A PUD shall meet the following minimum acreage or minimum number of dwelling units threshold as indicated in Table 6.8-4, below. The minimum thresholds for a PUD may vary according to a particular site's designation on the Comprehensive Plan Land Use Atlas.

TABLE 6.8-4
PUD MINIMUM THRESHOLDS

Land Use Category		Minimum Acreage	Minimum Number Of Dwelling Units
A G R	80/20	40	Not Applicable 8
	60/40	250	50
RR 10		40	N/A
LR 1		30	30
LR 2		30	60
LR 3		30	90
MR 5		20	100
HR 8		10	80
HR 12		10	120
HR 18		10	180

Legend for TABLE 6.8-4:

Comprehensive Plan Land Use Categories
AGR - Agricultural Reserve
RR 10- Rural Residential 10
LR 1 - Low Residential 1
LR 2 - Low Residential 2

LR 3 - Low Residential 3
MR 5 - Medium Residential 5
HR 8 - High Residential 8
HR 12- High Residential 12
HR 18- High Residential 18

Notes for Table 6.8-4:

- All PUDs shall comply with either the minimum acreage threshold or the minimum number of dwelling units threshold listed above for the applicable Comprehensive

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Plan Land Use Category. PUDs may have a gross area less than the minimum acreage threshold listed above by receiving bonus density through a Comprehensive Plan density program.

- ~~PUDs within the AGR or the RR 10 Land Use Category shall comply only with the minimum acreage requirement in Table 6.8-4, above. PUDs within the AGR Land Use Category shall comply with the special development criteria as set forth in this section and in the Comprehensive Plan.~~
- PUDs within the AGR Land Use Category shall also comply with the special development criteria set forth in this article and in the Comprehensive Plan.
- PUDs may have a gross area less than the minimum acreage threshold listed above by receiving bonus density through a Comprehensive Plan density program.

~~(a) **Agricultural Reserve (AGR) land use category.** The minimum threshold of a PUD located in the AGR land use category shall be forty (40) acres pending the results of a study of the long-term viability of agriculture within this area. The results of this study may require the revision of policies and regulations in the ULDC. Until such time as the study is complete, PUDs shall not be developed within this land use category.~~

~~(b) **Design requirements for PUDs within the AGR land use category.** The net buildable area, excluding streets, of a PUD within the AGR land use category shall be grouped in one (1) contiguous parcel and shall not exceed twenty (20) percent of the gross acreage of the PUD. The remaining area of the PUD shall be maintained in agricultural uses or recreational, preservation, or other types of open space uses.~~

~~(i) **Cluster requirements in AR designation.** In the Agricultural Reserve (AR) land use designation, a PUD's net buildable area, excluding streets, shall be clustered in one contiguous part of the parcel and shall not exceed twenty (20) percent of the gross acreage of the PUD. The remaining area of the PUD shall be maintained in bona fide agricultural uses or recreational, preservation or other types of open space uses.~~

(2) **Contiguous Addition of land.** Land may be added to a PUD provided the land is contiguous and the resulting PUD meets the intent of Sec. 6.8, Planned Development District Regulations, and this section.

(3) **Density...**

(4) **Pods...**

(a) **Design intent.** PUDs shall be designed to:

...

(b) **Land use mix percentages.** The applicant shall provide a mix of land uses by designating pods of a PUD as residential, commercial, civic (private), civic (public), or recreation pod, on the Preliminary Development Plan. The percentages in Figure 6.8-4 indicate the ranges of each pod allowed within a PUD and AGR-PUDs shall also provide for the preservation area as set forth in this Section.

...

(d) **Land use percentage calculations.** General land use percentages (Residential, Civic, Commercial and Recreation) shall be calculated based on the gross area of the PUD. Recreation uses, lakes and local roads which are internal to a residential pod rather than a separate pod or tract may be credited toward the minimum sixty (60%) residential land area requirement as identified in Figure 6.8-4.

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**Figure 6.8-4
PUD MIX OF LAND USES**

General pods		Minimum	Maximum
1. Residential <u>Ag. Reserve</u>		60%	--
	<u>80/20</u>	<u>25%</u>	
	<u>60/40</u>	<u>40%</u>	
2. Civic <u>Ag. Reserve</u>		2%	--
		<u>2% of developed area</u>	
3. Commercial		0	per capita based on population
4. Recreation		110 s.f. area/person See Sec. 6.8-B.6.a.(1)	--
5. <u>Preservation</u>	<u>80/20</u>		
	<u>60/40</u>		

(6)(5) Perimeter landscape areas. Perimeter landscape areas shall be part of a network of connecting open space corridors which comply with Sec. 6.8-A.23.b, (Perimeter landscape and edge areas), and the requirements listed below.

(a) Required locations...

(b) Type (G) 3 compatibility buffer perimeter landscape area. A type (G) perimeter landscape area is required to buffer incompatible pods and land uses. The portion of a perimeter landscape area required to be a Type (G) depends upon the compatibility of the surrounding land uses and the design of the pods. Commercial land uses, and private and public civic land excluding parks and recreation areas and agricultural uses shall be buffered from surrounding residential development by a Type (G) 3 compatibility buffer perimeter landscape area. A recommendation shall be made by PZB to the BCC as a development order condition as to the type and the location of perimeter landscape areas based on the surrounding land uses. See Sec. 7.3. Sec. 6.8-A.23.b., the proposed site design and Table 6.8-3, Perimeter Landscape Area Regulations.

(e) Exceptions to land use mix calculations.

(5) Special provisions for the designation of Civic Pods which uses benefit the public providing public benefit. The Board of County Commissioners may permit the land area allocated to public civic uses or private civic uses to be deleted from the gross acreage of the PUD when determining the residential land use percentage. Such reduction may occur if an explicit public benefit is demonstrated meeting the criteria in this subsection.

The applicant may include with a submittal of a rezoning application a request to exclude the public civic or private civic acreage from the gross acreage of the PUD. The justification statement, required in accordance with Sec. 6.8.B.4.c shall clearly demonstrate an explicit public benefit and meet the criteria herein. Prior to certification of an application, the Zoning

Director may obtain confirmation from the Board of County Commissioners

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1 that the justification and proposed mix of land uses meets the applicable
2 criteria. The Board of County Commissioners shall make a finding of fact
3 supported by substantial competent evidence that the criteria has been
4 satisfied.

5 ...
6 (6) (7) **Design criteria.** PUDs shall comply with the following objectives and
7 requirements, in addition to those specified in Sec. 6.8.A.23 (Design
8 Objectives).

9 ...
10 (e) **AGR-PUD.** In addition to the design criteria in this subsection, an
11 AGR-PUD shall comply with the special development criteria in
12 the AGR district.

13 **b. Regulating plan.** All initial Planned Development District rezoning and certain
14 amendments to PUD Districts shall provide a Regulating plan in accordance
15 with Sec. 6.8.A.8.f, Regulating Plan, including but not limited to the following.
16

17 ...
18 (5) **AGR-PUD.** A plan locating the development area and all preservation areas
19 shall be submitted and certified as part of each development order for an
20 AGR-PDD. The plan shall show the following: location; boundary; acreage
21 calculations; location; and use designation, and include a copy of the
22 condition of approval.

23 ...
24 **c. Land use justification report.** A land use justification report shall be provided
25 to justify and explain the mix of commercial, recreational, public and private
26 civic land uses proposed and describe the methods used to calculate this
27 percentage, including the raw data used (the assumptions made for proposed
28 population counts), the analysis procedures and the resulting land acreage
29 and building square footage. The justification report shall also address the
30 amount, if any, of affordable housing proposed and the following.

31 **5. Administration.**

32 ...
33 **d. Property owners association.** Concurrent with the first recorded plat a
34 property owners association shall be formed to manage the common areas
35 and guide the growth of a PUD however the preservation area of an AGR PUD
36 is not required to be governed by a property owners association.

37 **6. Land Uses.** Land uses are allowed in accordance with Table 6.8 - 2 (Planned
38 Development District Use Regulations Schedule). This table indicates the general
39 pods and the corresponding land uses, unless otherwise restricted by conditions
40 included in the development order. The proposed land uses and pods shall be
41 subject to the following provisions.

42 **a. Pods.** ~~Pods shall be divided into one (1) of the following designated pods for~~
43 ~~all areas of the PUD to indicate the land uses proposed within the PUD district.~~

44 **(1) Recreation.**

45 ...
46 (e) **Commercial Neighborhood Uses.** A maximum of ten percent (10%), up
47 to a maximum of two thousand (2,000) square feet within a clubhouse or
48 community center may be allocated to personal service uses, as
49 permitted in the CN zoning district provided required parking can be
50 accommodated on site. This square footage may be approved

51 by DRC; any additional square footage shall be subject to approval by the
52 BCC.

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- 1 (2) **Civic pod.** The Civic pod is intended to promote a coordinated land
2 planning approach for providing and encouraging publicly and privately
3 owned land uses to serve the community. The civic land use requirements
4 contained herein, shall in no way alter, diminish, or increase those obligatory
5 conditions which were made prior to the adoption of this code.

6 A minimum of two percent (2%) of the gross area of the PUD, (the
7 developable area of an AGR PUD), shall be designated on the Preliminary
8 Development Plan as either a Public civic pod or a Private civic pod as
9 indicated below.

- 10 ...
11 (4) **Optional residential pod....**

- 12 ...
13 (d) ~~Intent towards Sec. 5.7. Variances...~~

- 14 ...
15 (8) **AGR-PUD Preservation Area.** Pods supporting a preservation, as defined
16 in this subsection, are intended to support wetlands, other significant open
17 space or bona-fide agricultural uses. In an AGR-PUD, these uses are
18 considered to be the primary use, therefore adjacent residential
19 development should be designed to be compatible with the preservation
20 area and shall not detract from its operation or function.

- 21 b. **Supplementary use standards.** The standards of Sec. 6.4.D (Supplementary
22 Use Regulations) and the standards listed below shall apply within the PUD,
23 unless specifically waived or modified by the terms of the development order
24 for the PUD.

- 25 ...
26 7. **Property development regulations.** The property development regulations
27 within a PUD shall be as indicated in Table 6.8 - 6, Property Development
28 Regulations, unless otherwise specifically provided on the approved Preliminary
29 Development Plan, in the development order or as listed below. Any of the pods
30 or housing types listed below may apply to use flexible property development
31 regulations for minimum lot dimensions, and side and rear setbacks based on
32 compliance with Sec. 6.8.A.8.f.(1), Regulating plan.

- 33 ...
34 e. **AGR-PUD preservation area pods.** Agricultural uses as allowed by 6.8.B.8.
35 shall comply with the property development regulations specified in Sec. 6.5
36 Property Development Regulations, Sec. 6.4.D. Supplemental Regulations,
37 and Article 7 Site Development Standards, as applicable.

38 f.e. **Road improvements...**

39 g.f. **Streets...**

40 h.g. **Parking requirements and access...**

- 41 8. **Agricultural reserve.** The Agricultural Reserve Planned Unit Residential
42 Development (AGR-PUD) regulations have been created to fulfill requirements
43 of the Agricultural Reserve provisions in the Future Land Use Element of the
44 Comprehensive Plan which establishes the Agricultural Reserve and sets forth
45 the allowable development options therein. The two PUD options which are
46 available for the development of land in the AGR are an 80/20 AGR-PUD and a
47 60/40 AGR-PUD.

- 48 a. **Purpose and intent.** In order to accommodate low density residential
49 development options in conjunction with preservation of agriculture, wetlands
50 or other significant open space areas, the AGR-PUD is created. It is intended
51 that an AGR-PUD will provide for residential development of land in a manner
52 compatible with agriculture, wetlands or other significant open space and
53 which does not detract from the protection and perpetuation of such uses in

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the Agricultural Reserve. Notwithstanding these particular purposes, the purpose and intents as contained in Sec. 6.8.A.1. and 6.8.B.1. above, shall also be accommodated in the design and application of the AGR-PUD.

b. General.

- (1) **Zoning and Future Land Use Map designations.** At the time that the PUD designation is affixed to the Official Zoning Map pursuant to Sec. 6.8.A.17., a Preservation Area which is not contiguous to the Development Area shall be shown with the designation AGR-PUD/P or, if appropriate, as a Conservation Zone District. A non-contiguous Development Area shall be shown as AGR-PUD/D. When the Development Area and the Preservation area are contiguous, they may be shown in total as an AGR-PUD or with separate designations with the suffix of P or D, as appropriate. Following a designation on the Official Zoning Map, the County shall process a remedial future land use map amendment which shall identify the Development Area and the Preservation Area as AGR/D and AGR/P, respectively.
- (2) **Preliminary Development Plan (PDP), site plan and plat designations.** The PDP, site plan and plat shall depict the Preservation Area as specified below. The plats for the preservation areas shall be recorded simultaneously with the first plat within the Development area.
 - (a) **Contiguous areas.** When the Preservation Area is contiguous to the buildable area, the preservation area shall be shown and designated on the PDP and all applicable site plans and plats at the same scale and in the same detail as is the Development Area.
 - (b) **Non-contiguous areas.** When the Preservation Area is not contiguous to the Development Area, as allowed in a 60/40 AGR-PUD, then the preservation area shall be referenced by a location sketch and notes on the master plan and the land shall be described on a boundary plat which limits the land to the intended preservation use(s) and which is duly recorded.
- (3) **Perpetuation of preservation areas.** In addition to showing the Preservation Area on the PUD plan documents as required above, provisions shall be made for establishment of the Preservation Area in perpetuity. After certification, by the DRC, of the PDP or Final Site Plan but prior to recordation of the plat, the Preservation Area shall be established in perpetuity in one of the following manners and in a form acceptable to the Office of the County Attorney.
 - (a) **Dedication and acceptance.** Dedication of the Preservation Area to the Board of County Commissioners and acceptance of the dedication by the BCC.
 - (b) **Recordation of a conservation easement in Agricultural Conservation Easement.**
 - (c) **Restrictive covenant.** Recordation of a restrictive covenant, made in favor of Palm Beach County, stating the basis for and limiting the land to the intended preservation use.

c. AGR-PUD development options.

- (1) **General.** Two residential planned unit development options are provided for in the Agricultural Reserve. The two options are an 80/20 AGR-PUD and a 60/40 AGR-PUD. Each AGR-PUD shall consist of two areas, the Preservation Area and the Development Area. Pods shall be contained within the Development Area.
- (2) **Land uses.**
 - (a) **General.** The maximum residential density for the overall AGR-PUD shall be based on its gross area and calculated at one dwelling unit per acre (1 du/ac). The residential density within the Development Area is not restricted except as necessary to meet development standards and

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1 assure compatibility with adjacent land use. All components of
2 development and associated pods shall be located with the Development
3 Area. Land area allocation (acreage) for the Preservation Area and for
4 the Development Area shall be based on the ratio (80/20, 60/40)
5 specified for each development option and as described below.

6 (i) 80/20 formula¹. A minimum of eighty percent (80%) of the gross site
7 area shall be retained as the Preservation Area, the remaining land
8 area may be used for all development, e.g., residential, recreational,
9 civic, and commercial pods. However, up to an additional five percent
10 (5%) of the gross site area may be allocated to the Development Area
11 where said allocation can be accounted for as being rights-of-way for
12 streets, and required on-site water retention areas. In no event shall
13 the Development Area, including rights-of-way, and water retention
14 areas exceed twenty-five percent (25%) of the gross site area of the
15 AGR-PUD.

16 (ii) 60/40 formula². A minimum of sixty percent (60%) of the gross site
17 area shall be retained as the Preservation Area. The remaining land
18 area shall be used for all development, e.g., residential, recreational,
19 civic and commercial pods. There shall not be any credit given which
20 would reduce the size of the Preservation Area for encroachment
21 allowed therein for rights-of-way, water retention, open space, or
22 natural habitat preservation areas which are situated in the
23 Development Area.

24 (b) Land use, development area. The Development Area shall contain all
25 the development related pods, residential, recreational, civic, and
26 commercial as described in Section 6.8.B.4.a. Uses allowed within the
27 Development Area are listed in the Use Regulation Schedule, Figure
28 6.8.A-2. The use mix shall be pursuant to Section 6.8.A.

29 (c) Land use, preservation area. Land use within the preservation area
30 shall be compatible with the nature and intent of the preservation use.
31 Uses allowed within the Preservation Area are as listed in the Use
32 Regulation Schedule, Figure 6.8.A-2.

33 (3) Property development regulations. When general and referenced
34 provisions and regulations for PDDs conflict with specific standards and
35 requirements as set forth in this subsection (3), the provisions of this
36 subsection shall govern.

37 (a) Development area.

38 (i) General. Uses within the Development Area shall comply with all
39 applicable property development regulations as specified for each use
40 in Section 6.8.A. and 6.8.B.

41 (ii) Buffer. A Type 3 compatibility buffer shall be required between the
42 Development Area and all adjacent properties zoned AGR, AP, SA,
43 or AR, whether vacant or supporting an existing agricultural land use.
44 The buffer shall be a minimum 50 feet wide and installed satisfying the
45 planting requirements of a Type 3 Compatibility Landscape Buffer in
46 accordance with Sec. 7.3. Buffer reductions shall not be permitted
47 along the entire perimeter of the Development Area except there may
48 be a fifty percent (50%) reduction in width if:

¹ Example: Gross site area 50 acres. 50 ac x 80% = 40 acres to be preserved; 50
ac x 20% = 10 acres for development. However, 5% of the gross site area (.05 x 50) or an
additional 2.50 acres, if justified, can be added to the development area. Resulting in
12.50 acres for the Development Area; and 37.50 acres for the Preservation Area.

² Example: Gross site area 280 acres. 280 ac x 60% = 168 acres to be preserved;
280 x 40%=112 acres for development.

- 1 a) the buffer is within a nonresidential pod of the PUD adjacent to a
2 right-of-way greater than fifty (50) feet in width;
3 b) the buffer is adjacent to another platted PUD buffer a minimum of
4 twenty (20) feet in width, with existing landscaping within the buffer;
5 or
6 c) the buffer is adjacent to another PUD with a spatial separation
7 greater than fifty (50) feet in width, e.g., a canal, lake.
8 (b) **Preservation Area - general.** All agricultural uses and accessory
9 structures within the preservation area shall comply with the AGR use
10 regulations. Uses, other than agriculture, shall comply with the property
11 development regulations, as determined by the Zoning Director, which
12 are most closely associated with the nature of the use. Preservation
13 sites, as defined and identified pursuant to the native vegetation set-a-
14 side requirements as specified in Article 9.5, and which are contained in
15 the Development Area shall not be considered as part of the Preservation
16 Area as defined herein.
17 (c) **Minimum land area.** The minimum land area for the AGR-PUD 80/20
18 option is 40 acres and the minimum land area for the AGR-PUD 60/40
19 option is 250 acres gross site area.
20 (d) **Locational and siting requirements.** The location of AGR-PUDs shall
21 advance the primary purpose of preserving agriculture in the Agriculture
22 Reserve. The site design of either PUD option shall provide for the
23 separation and buffering of the Development Area and the Preservation
24 Area. These objectives shall be accommodated, in part, through the
25 following.
26 (i) **Locational requirements.**
27 a) **Prohibited locations.** The Development Area for a 60/40 AGR-
28 PUD shall not be situated west of S.R.7 (U.S. 441).
29 b) **Access and frontage.** All Development Areas shall have frontage,
30 in an amount as required by Sec. 7.3, on either SR-7, SR-806
31 (Atlantic Ave.), SR-804 (Boynton Beach Boulevard), Clint Moore
32 Road, or on that part of Lyons Road which extends north of Boynton
33 Beach Boulevard. Preservations Areas which are non-contiguous
34 to a Development Area do not have to meet access and frontage
35 requirements and may be situated anywhere within the Agricultural
36 Reserve, provided that they are accessible by right-of-way road
37 easement and accommodate the configuration requirements which
38 follow.
39 (ii) **Siting.**
40 a) **Adjacency.** Development Areas shall be located, to the greatest
41 extent practical, adjacent to existing, planned or projected
42 Development Areas, while Preservation Areas are similarly to be
43 located next to other existing, planned, or projected Preservation
44 Areas.
45 b) **Contiguity and non-contiguity.** A Development Area shall be
46 situated in only one location and it shall be contiguous within itself.
47 A Development Area and a Preservation Area of the same AGR-
48 PUD shall be contiguous to one another. However, a Preservation
49 Area of a 60/40 AGR-PUD may be located remote from its
50 associated Development Area provided that at least one of the
51 following conditions are met:
52 i) it is a Preservation Area containing at least 150 acres and
53 otherwise meets the configuration requirements in Section 6; or
54 ii) it shares at least one common boundary with an existing
55 Preservation Area, or an agricultural area preserved under the
56 PACE program, or a designated wetland which is in public
57 ownership; and which when combined with the adjacent existing
58 area has a land area equal to or greater than 150 acres.

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1 (iii) Configuration, Development Area. The Development Area shall be
2 a single, compact, contiguous area which possessed the
3 characteristics listed below. An equestrian community may deviate
4 from these characteristics only to the extent that dedicated pasture
5 land may meander, in a contiguous fashion, throughout the residential
6 area.

- 7 a) at least two sides of the Development Area shall share a common
8 boundary with the perimeter of the AGR-PUD.
9 b) designed as a unified whole within a tightly compact area with
10 continuous common boundaries among the various pods.
11 c) neither isolated Development Areas nor isolated Preservation Areas
12 shall be created within a contiguous AGR-PUD.
13 d) lakes, water retention areas, golf courses, and other similar
14 amenities shall be situated within the Development Area to provide
15 a buffer between the residential, civic, and commercial uses of the
16 Development Area and the Preservation Area.

17 (iv) Configuration, Preservation Area. The Preservation Area for the
18 60/40 PUD shall be a minimum 150 acres and be contiguous to, but
19 not intrusive into, the Development Area, with the exception of
20 equestrian communities where pasture area may meander, in a
21 contiguous fashion, throughout the residential community.
22 Preservation Areas shall be arranged in a unified whole so as to
23 maximize the purpose, function, and perpetuation of the preservation
24 use. This shall be accomplished, in part, through the following.

- 25 a) Agriculture. Agricultural area shall have boundaries which allow for
26 the most efficient agricultural operation. They shall not be
27 encroached upon by a Development Area.
28 b) Wetlands. The boundary of preserved wetlands shall be
29 determined by the ecological function of the viable wetland area,
30 as determined by the Board of County Commissioners upon
31 recommendations from the Department of Environmental
32 Resources Management and/or the South Florida Water
33 Management District. Wetland areas shall be preserved in the order
34 of performance: adjacent to off-site wetlands; open space; fallow
35 land; or, agricultural land. Primary consideration shall be given to
36 preserve wetland areas adjacent to off-site wetlands.

37 (v) Buffer for Preservation Areas. A buffer shall be provided between
38 residential, commercial, and civic land use in the Development Area
39 and Preservation Area to ensure mutual compatibility such that the
40 development does not adversely affect the Preservation Area,
41 including the perpetuation of agriculture uses. This buffer shall be
42 located in the Development Area and adhere to the provisions of
43 subsection 6.8.B.8.c.(3)(a) ii above.

44 d. Special provisions.

- 45 (1) Rural service area designation. The AGR district is situated in the Rural
46 Service Area and thus it may not have the same level of services as
47 provided in the Urban Services Area.
48 (2) AGR-PUD water and sewer service. All Development Areas of an AGR-
49 PUD shall utilize central water and wastewater service provided by the Palm
50 Beach County Water Utilities Department. Any such water and wastewater
51 service mains shall run within the rights-of-way for the roads listed in Sec.
52 6.8.B.8.c.(3)(e)(i)(b) above. The use of private and public package
53 treatment facilities is not allowed. The Property Owner shall enter into a
54 Standard Development Agreement with the Palm Beach County Water
55 Utilities Department to reserve system capacity prior to final approval of the
56 AGR-PUD. All required on and off site improvements shall be paid for and
57 installed by the Property Owner in accordance with the Uniform Policies and

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Procedures Manual of the Palm Beach County Water Utilities Department. However, the above shall not preclude the extension of water and sewer mains in locations other than the cited roadways when necessary for system integrity, e.g., looping of mains.

SUBPART 12 SEC. 6.10 TRANSFER OF DEVELOPMENT RIGHTS - SPECIAL DENSITY PROGRAM is amended to add and delete language as follows:

A. Purpose and intent. The purpose of this section is to provide for an Interim Transfer of Development Rights (TDR) Program, including the establishment of a TDR Bank, to facilitate both the protection of environmentally sensitive lands, the preservation of agriculture on lands designated as Agricultural Reserve (AGR) on the future land use atlas, and to promote orderly growth in Palm Beach County. This is accomplished by allowing development rights to be severed from environmentally sensitive lands and lands designated as AGR and transferred to sites where additional development can be accommodated. The Transfer of Development Rights program is designed to redistribute population densities, or development potential, to encourage the most appropriate and efficient use of resources, services and facilities. Further, it is the purpose and intent of this ordinance to provide an alternative to the development of environmentally sensitive lands and lands designated as AGR by establishing a mechanism to seek economic relief from the limitation of development imposed on these lands. Transfer of Development Rights can mitigate inequities in the valuation of land by providing a means of compensating landowners whose property is restricted, by permitting the sale of development rights, and making landowners in more intensively developed areas pay for the right to develop beyond the existing density, by purchasing development rights.

...

B. Authority....

C. Applicability....

D. Definitions. The following terms, whenever used in this section, shall apply only to the transfer of development rights procedures as provided for in this Section and shall be defined as follows. Other terms used in this Section shall have the meanings set forth in this Code, if defined herein. The definitions of this TDR Section shall apply in cases of word or phrase conflicts with definitions elsewhere in this code.

Agricultural Conservation Easement - means an interest in land, less than fee simple, which interest represents the right to restrict or prevent the development or improvement of the land for purposes other than agricultural production.

Transfer of Development Rights Bank - An accounting and monitoring system authorized by this Code empowering the County to purchase and sell development rights. The TDR Bank offers an alternative to TDRs being transferred only via the private market. The bank or development rights fund utilizes County funds, when budgeted, to purchase the development rights from lands designated for preservation as provided for in this section. These rights may then be sold to developers, or auctioned off, for use in qualified receiving areas or held in reserve for future release. The proceeds from the sale of development rights deposited in the fund shall be utilized to purchase environmentally sensitive lands or agricultural land, unless otherwise allocated by the Board of County Commissioners.

Urban Services Area - That portion of the unincorporated area of Palm

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1 Beach County designated as the "Urban Services Area" by the Palm Beach
2 County Comprehensive Plan (Ordinance 89-17 as amended from time to
3 time).

4 **E. TDR program in general.** The Transfer of Development Rights program
5 allows a property owner to achieve a density bonus by purchasing the
6 increase in density from the County TDR Bank or from a property owner
7 with land in a designated sending area, without going through the land use
8 amendment process. In order to increase density, the site must meet the
9 requirements to become a designated receiving area and follow the
10 procedures as described in this Section. After development rights have
11 been transferred from the sending area to the receiving area, an appropriate
12 conservation easement or an agricultural conservation easement shall be
13 attached to the sending area and recorded in the public records of Palm
14 Beach County, restricting future development potential.

15 **F. Administration....**

16 **G. Sending areas.**

17 **1. General...**

18 **2. Eligible Sending areas shall include:**

- 19 a. lands designated RR-20 on the Future Land Use Atlas;
20 b. all "A" quality sites as designated on the Inventory of Native
21 Ecosystems which retain their function and value as determined by
22 the Palm Beach County Department of Environment Resource
23 Management (ERM); ~~and~~
24 c. land designated AGR on the Future Land Use Atlas; and
25 ~~c.~~ d. other sites determined by the BCC to be worthy of protection. At
26 such a time that the BCC determines that a parcel of land is
27 environmentally sensitive, or preservation of the site is in the public
28 interest, the parcel is eligible to become a designated sending area.
29 The site shall be designated by resolution of the BCC.

30 **3. Overlap in Sending Areas.** In such cases where a parcel of land is
31 both a Native Ecosystem "A" quality site and designated RR-20 or
32 AGR on the future land use atlas, all provisions in this section
33 pertaining to the "A" quality sites shall prevail.

34 **4. Transfer Rate.** The owner of land which is designated as a sending
35 area may elect to transfer development rights as provided in this
36 section. Development Rights may be transferred from sending areas
37 according to the following schedule.

38 a. Development rights may be transferred from property designated
39 RR-20 on the future land use atlas at the rate of one (1)
40 development right per five (5) acres. The minimum land area eligible
41 for the transfer of development rights shall be ten (10) acres.

42 b. Development rights may be transferred from property designated
43 AGR on the future land use atlas at the rate of one (1) development
44 right per one (1) acre.

45 ~~— b. —~~ c. Development rights may be transferred from Native Ecosystem
46 "A" sites located outside of the Urban Service Area at a transfer

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rate of one (1) development right per five (5) acres. The minimum land area eligible for the transfer of development rights shall be five (5) acres.

~~c.~~ d. Development rights may be transferred from all Native Ecosystem "A" Sites located within the Urban Service Area at a rate equal to the maximum density permitted by the future land use designation. The minimum land area eligible for the transfer of development rights shall be five (5) acres.

~~d.~~ e. Development rights may be transferred from all environmentally sensitive sites described in 6.10.G.2.ed determined by the BCC to be worthy of protection at a rate which equals the maximum density permitted by the future land use designation for the property, or a rate determined appropriate by the BCC. The minimum land area eligible for the transfer of development rights shall be the size of the subject parcel.

5. **Transfer Limitations.** If the owner of land in a sending area only transfers a portion of the development rights available for the property, the County, upon recommendation from the Planning Division and ERM, reserves the right to determine which portion of the land is subject to the applicable conservation easement. The intent is to ~~preserve the highest link~~ environmentally sensitive land, and to link agricultural land, link high when possible feasible, and allow compatible development to occur on the remainder of the such sites.

6. **Computation of the Development Rights...**

7. **Restriction on Future Use.** Upon closing and execution of the Contract for Sale and Purchase, the applicable conservation easement shall be recorded in the public records of Palm Beach County. The easement agreement shall restrict further use of the land, guarantee that the sending area will be retained in its natural condition if a conservation easement or as a bona fide agricultural use if an agricultural conservation easement, and will not be used in any manner except as stipulated in the agreement. In addition, the residential development rights of the subject property shall be considered severed in perpetuity.

8. **Existing Uses...**

9. **Remaining Land Area.** If all of the development rights assigned to a sending area are not transferred off the site, the remaining land, if proposed for development, shall be developed in accordance with this code and in a manner which is compatible with the surrounding area.

H. County Transfer of Development Rights Bank.

1. **General...**

2. **Establishment of Development Rights for the Bank.** Development rights for the TDR Bank shall be generated from the following sources.

a. Development rights severed from environmentally sensitive lands and purchased by the County, including the Native Ecosystem "A" quality sites targeted for purchase through the County's bond issue. Those "A" quality ecosites in the unincorporated area of the County which are not purchased as part of the acquisition program, shall maintain the opportunity to transfer development rights on the open market.

b. Development rights purchased by the County and severed from land meeting the criteria in Sec. 6.10.G.2.b.

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1 ~~b.~~ c. Development rights purchased by the County while allowing the
2 property owner to retain ownership of the sending area parcel.
3 The property owner shall agree to a the applicable conservation
4 easement at the same time development rights are purchased by
5 the County.

6 ~~c.~~ d. Development rights associated with other lands purchased by the
7 County, in whole or in part, for the purpose of protection of
8 environmentally sensitive lands, including wetlands.

9 3. Transfer rate from the Purchase of Environmentally Sensitive
10 Lands....

11 4. The Application, Sale and Value of Development Rights...

12 5. Annual Report...

13 6. Revenue from the Sale of TDRs. The revenue generated from the sale
14 of development rights shall be allocated to ~~earmarked for~~ the Natural
15 Areas Fund for acquisition and management of environmentally sensitive
16 lands and wetlands.

17 I. Receiving Areas. Development rights shall only be transferred to those
18 parcels which meet the qualifications for designation as receiving areas.

19 1. Eligible Receiving Areas include the following.

20 a. Property owners requesting an increase in density above the
21 maximum density allowed by the future land use designation. To
22 qualify as a receiving area, the land shall:

23 (1) be located within the Urban Service Area;

24 (2) be compatible with surrounding land uses and consistent
25 with the Comprehensive Plan;

26 (3) meet all concurrency requirements;

27 (4) meet all requirements as outlined in the Unified Development
28 Code;

29 (5) the minimum PUD acreage threshold shall be based upon
30 the total density of the project, including the TDR units³. (see
31 Sec. 6.8, Planned Development District Regulations);

32 ~~(5)~~ (6) The Agricultural Reserve area shall not be considered an
33 eligible receiving area.

34 2. Residential Density Bonus...

³Example:

To be considered for a PUD, a parcel with a Future Land Use designation of LR-3
requires a minimum of 30 acres; while a parcel with a Future Land Use designation of MR-
5 requires a minimum of 20 acres. Under Sec. 6.10.1.1.a, if a property owner with a 20
acre parcel with a LR-3 designation on the Future Land Use Atlas purchases 40 units
through the TDR program, a gross density of MR-5 would result. (20 acres x 3 du/ac = 60
du; + 40 du = 100 du on 20 acres = 5 du/ac.) The parcel would qualify for consideration
as a PUD, based upon the total density including the transferred units, and receiving area
designation for transferred development rights.

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1 **3. Prohibitions...**

2 **J. Transfer of Development Rights, Sending Area Procedure.**

3 **1. Sending Parcel Application...**

4 **2. Review Process.**

5 a. Environmentally sensitive lands and lands designated RR-20 on
6 the Future Land Use Atlas....

7 b. Land designated AGR on the Future Land Use Atlas.

8 (1) Within thirty (30) working days from receipt of the application, in
9 order to determine that the land complies with Sec. 6.10.G.2.c., the
10 Planning Division shall complete a site check to ensure that the site
11 is suitable for agricultural purposes.

12 **3. Written Determination...**

13 **4. Easement Agreement.** Simultaneous with closing on the contract for
14 purchase and sale of development rights, the owner of land in the
15 sending area shall execute the applicable conservation easement in a
16 form acceptable to the County Attorney's Office. The easement
17 agreement shall restrict future use of the land, shall become part of the
18 title to the land and filed in the public records of Palm Beach County.

19 **5. Re-submittal of Application...**

20 **6. Development Rights Certificates....**

21 a. **Eligibility.** Development Rights certificates shall only be issued to
22 property owners with land in sending areas that donate the
23 environmentally sensitive land or land designated as AGR to the
24 County and follow the procedures in this Sec. (6.10.J.1, 2 & 3). The
25 development rights certificate shall require that restrictions be placed
26 on the sending area prior to the sale of those development rights. A
27 minimum donation of five acres is required.

28 ...

29 **K. Transfer of Development Rights, Receiving Area Procedure....**

30 ...

31 **M. County Initiated Land Use Amendment.** Concluding the transfer of
32 development rights and providing that all standards have been met and
33 deeds of transfer filed, the Planning Division upon direction from the BCC
34 shall initiate a County Comprehensive Plan Land Use Map Amendment to
35 accurately reflect the use of the sending area parcel as Conservation or
36 Agricultural Reserve Preservation Area (AGR/P) or indicate that a
37 conservation easement exists.

38 **SUBPART 13 Sec.7.3.F.3. Landscaping and Buffering is amended to add and**
39 **delete language as follows:**

40 **3. Landscape buffer.** A landscape buffer shall be required between all
41 incompatible future land uses. A Recreation or Civic pod within a planned
42 development district shall require a landscape buffer. A landscape buffer shall be
43 located along the entire perimeter of a development and buffer incompatible land
44 uses and planned development pods. In an AGR-PUD a perimeter landscape

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1 buffer shall be located within the buildable area, not within the preservation area.

2 **SUBPART 14 Sec.7.8.A.3 Miscellaneous Standards, Performance Standards,**
3 **Exemptions is amended to add and delete language as follows:**

- 4 **h.** Noise; vibration; smoke, emissions and particulate matter; odors; and outdoor
5 lighting by farm operations conforming to generally accepted agricultural and
6 management practices in the Agricultural Reserve district.

7 **SUBPART 15 Sec. 7.15.E. Maintenance and Use Documents, Documents**
8 **Establishing Maintenance and Use is amended to add language**
9 **as follows:**

- 10 **E.** Documents Establishing Maintenance and Use. The type of document
11 required to establish use rights and responsibility for maintenance of the
12 Common Areas and private preserve areas of a development depends upon
13 the nature of the development.

14 **SUBPART 16 Sec. 7.15.F.1.a.(g) Maintenance and Use Documents, Content**
15 **requirement for documents, property owner's association**
16 **documents, declaration of covenants and restrictions, is**
17 **amended to add language as follows:**

- 18 **(g)** The Declaration shall provide that the Association shall be responsible for
19 the maintenance of the Common Areas and private preserve areas.
20 Maintenance responsibility may be delegated to a sub-association or to an
21 individual lot owner (in the case of certain limited use areas), but the
22 delegating association shall be responsible in the event the sub-association
23 or the lot owner fails to maintain any portion of the Common Area or other
24 required areas.

25 **PART 3. CAPTIONS:**

26 The captions, section headings, and section designations used in this ordinance are
27 intended for the convenience of users only and shall have no effect in the
28 interpretation of the provisions of this ordinance.

29 **PART 4. REPEAL OF LAWS IN CONFLICT:**

30 All local laws and ordinances applying to the unincorporated area of Palm Beach
31 County in conflict with any provision of this ordinance are hereby repealed to the
32 extent of any conflict.

33 **PART 5. SEVERABILITY:**

34 If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for
35 any reason held by the Court to be unconstitutional, inoperative or void, such holding
36 shall not affect the remainder of this ordinance.

37 **PART 6. INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE:**

38 The provision of this ordinance shall become and be made a part of the Unified Land
39 Development Code of Palm Beach County, Florida. The Sections of the ordinance
40 may be renumbered or relettered to accomplish such, and the word "ordinance" may
41 be changed to "section," "article," or any other appropriate word.

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1 **PART 7. EFFECTIVE DATE:**

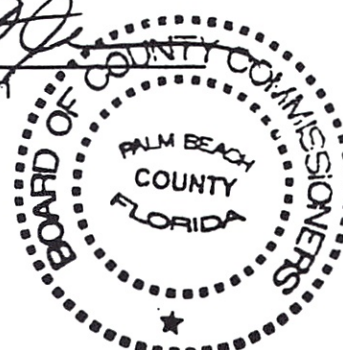
2 The provisions of this ordinance shall become effective upon filing with the Department
3 of State.

4 APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach
5 County, on the 21st day of April, 1998.

6 ATTEST: PALM BEACH COUNTY, FLORIDA,
7 BY ITS BOARD OF COUNTY COMMISSIONERS
8 DOROTHY H. WILKEN

9 By: Mitchell I. Lewis
10 Deputy Clerk

By: [Signature]
Chairman



11 APPROVED AS TO FORM AND
12 LEGAL SUFFICIENCY

13 By: Robert P. Banks
14 County Attorney

15 EFFECTIVE DATE: Filed with the Department of State on the 30th day of
16 April, 1998, at _____ m.

17 F:\COMMON\HOC\TOR\AGR\21APR98\AGRESORD.FNL

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 4/21/98
DATED at West Palm Beach, FL on 5/18/98.
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.

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FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach)	COUNTY ORDINANCE # (98-11) (e.g., 83-001)
PRIMARY KEYFIELD DESCRIPTOR: (ZONING)	
SECONDARY KEYFIELD DESCRIPTOR: (Planning)	
OTHER KEYFIELD DESCRIPTOR: ()	
ORDINANCE DESCRIPTION: (Unified Land Development Code) (25 characters maximum including spaces)	
ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)	
AMENDMENT # 1: (92-20)	AMENDMENT # 2: ()
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)	
REPEAL # 1: ()	REPEAL # 3: ()
REPEAL # 2: ()	REPEAL # 4: ()
(Others repealed: list all that apply):	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: ()
KEYFIELD 1 CODE: ()	KEYFIELD 2 CODE: ()
KEYFIELD 3 CODE: ()	Rev. 8/28/88

ATTACHMENT 1

SUMMARY OF AMENDMENTS

Section 1.6 (Nonconformities, General) addresses nonconforming uses in the AGR.

Section 3.2 (Definitions) contains definitions for new concepts such as a preservation area as well as definitions that have been amended to include AGR activities.

Section 6.2 (District Purposes and Uses) is completely new and explains the purpose and intent of the AGR district and lists the uses permitted in the AGR district. It creates a Right to Farm act which exempts agricultural uses from the miscellaneous standards of the Code such as noise and odors. Section 6.2 also creates the Community Commercial Service Overlay district (CCSO), designates its location, and lists the permitted commercial uses.

Section 6.4 (Supplementary Use Regulations) contains all the uses permitted in the AGR and CCSO districts along with the supplemental regulations for these uses.

Section 6.5 (Property Development Regulations) creates the property development regulations, such as setbacks, for the AGR and CCSO districts.

Section 6.8 (Planned Development Districts) creates the Agricultural Planned Unit Developments and explains their composition, lists the permitted uses and the regulations which govern these developments.

Section 6.10 (Transfer of Development Rights) contains new language for the AGR Reserve area.

Section 7.3 (Landscaping and Buffering) contains new language for the AGR Reserve area.

Section 7.8 (Miscellaneous Standards) references the right to farm act.

Section 7.15 (Maintenance and Use documents) contains new language to assign responsibility for maintenance of preserve area to property owners association.

ATTACHMENT 2

CITIZENS TASK FORCE RECOMMENDATIONS FOR CHANGES TO THE COMPREHENSIVE PLAN

The Citizens Task Force recommends that the Board of County Commissioners consider the following changes to the Comprehensive Plan.

1. Permit freestanding golf courses in the AGR-PUD development area without also requiring residential units in the development area.
2. Permit Agricultural Sales and Service in the Agricultural district in addition to permitting it in the Community Commercial Service Overlay district.
3. Permit the intersection of Boynton Beach Blvd and S.R. 7 extending one-half (½) mile north, south, east and west in each direction along the frontage of S.R. 7 and Boynton Beach Blvd, to be designated as part of the Community Commercial Service Overlay (CCSO) district.